

Members of Council, who contended that it was not proper to introduce into an Act relating to succession to property a clause which affected the relations of all persons married after the passing of the Act. However, it was deliberately decided to adopt it, and the Council, under the advice of Sir Henry Maine, took the view that, with regard to property taken by way of succession, the provision was a proper one, and that it affected such a number of the property relations of married people that it was more convenient to affirm the broad principle which the Council was prepared to adopt, than to leave one portion of such property to be regulated by one law, and another portion by another law. Therefore, that Act contained a clause which went further than the rest of the Act, and to a certain extent mixed up the law which was peculiar to marriage and had nothing to do with succession, with the law which was peculiar to succession and had nothing to do with marriage. There were also placed upon the Succession Act two very extensive limitations. The Act, in fact, worked within very narrow bounds. There was a limitation as regards community, and another limitation with regard to time. As regards property taken by way of succession, it was provided by section three hundred and thirty-one that the Act should not extend to Hindús, Muhammadans or Buddhists. As to the subject-matter of section four, it was provided that it should not be extended to persons married prior to the 1st January 1866; and as regards both parts of the Act, it was provided that the Governor General in Council should have power, by order, to exempt from the operation of the Act the members of any race, sect, or tribe to which the Act was considered to be inapplicable. The Council would observe that, so far as regards the peculiar effect of section four, what he might call its excessive effect beyond property taken by way of succession, Hindús and Buddhists were not excluded. They were included in the Act so far as it went. They might be excluded by the order of the Governor General in Council, but no such order had ever been made, and, at all events, as the Act stood they were included. That, however, was not intended. Those communities had their own marriage-law, and their own succession-law, and it was not intended by that Act to interfere with those large communities which had a defined, an ascertained, or an ascertainable, law on the subject. It was only intended to amend the law for the European community, or for any who had no such defined law. In fact, it was intended that the excepted communities should be just as free from the operation of section four as they were from the rest of the Act, but that with regard to those persons who were affected by section four, there should be this additional limitation that the Act should not take effect on those who were married prior to the year 1866.

We had, therefore, taken the opportunity, in regard to section four, which dealt with the general subject of marriage, to provide, as we had done by the last clause of the second section of the Bill, that "the fourth section of the said Indian Succession Act shall not apply, and shall be deemed never to have applied, to any marriage, one or both of the parties to which professed at the time of the marriage the Hindú, Muhammadan, Buddhist, Sikh or Jaina religion."

It would be observed that we had added *Sikhs* and *Jainas*. The reason was that it had been decided, no doubt quite rightly, that when Hindús were mentioned in such a context, the term meant Hindús by religion, and then the question arose whether Sikhs were Hindús by religion. They were no doubt an offshoot from the Hindús, but an orthodox Hindú would contend that a Sikh was not a Hindú by religion, and the question might be a puzzling one for a Court of Justice to decide. So with the *Jainas*: he believed that they were an offshoot from the Buddhists, but that an orthodox Buddhist would deny that they held the Buddhist religion. Therefore, it was thought better to mention the Sikhs and Jainas among those whom it was not intended to affect by this law.

That was the way in which we operated on this particular clause in the Indian Succession Act, and we had made the area of this Bill, so far as regards the communities it affected, precisely identical with the area of the Indian Succession Act as it would now be interpreted. In section two of the Bill we had introduced exactly similar provisions to those in the Indian Succession Act, exempting, as he had explained, Hindús, Muhammadans, Buddhists, Sikhs and Jainas, and giving power to the Governor General in Council to exempt the members of any other race, sect or tribe, or part of a race, sect or tribe, to whom the law might be considered to be inapplicable.

Then with regard to the substantive alterations of the law. In the first place section four of the Bill dealt with the subject of wages and earnings. That section applied to marriages at whatever time they might have been celebrated, but only applied to wages and earnings acquired or gained after the passing of the Bill. In that matter we followed exactly the provisions of the English Statute, and he thought the Council would probably be of opinion that we had followed a good guide, and also that it was a matter of the plainest possible justice. In fact, among the very emphatic differences of opinion and earnest controversies that had taken place regarding the law on this subject, MR. HOBHOUSE believed there was hardly any difference of opinion on this particular point. Even those who contended the most for placing marriage upon a property basis, and who thought the most keenly that its ties depended upon the right of the husband to strip the wife of every farthing she possessed, and that its sanctity would be impaired if that right when encroached on, even those stopped short at that particular point, and were fair to admit that what a woman earned by her personal exertions should not all be taken away from her. MR. HOBHOUSE, therefore, did not anticipate any difference of opinion among the Members of the Council as to this clause.

The next section, section five, related to insurances, and provided that any married woman might effect a policy of insurance upon her own life, or the life of her husband, on her own behalf and independently of him, and that she might enforce the contract just the same as if she were an unmarried woman. That again applied to marriages made before 1866, and so far extended the principle of section four of the Indian Succession Act. It was true that these very transactions might be performed at the present moment, but it could only be by a somewhat circuitous process. If a married woman had already separate property, and if by means of that separate property she chose to make any arrangement whatsoever, by the law of England that could be enforced, but it must be enforced in the Court of Chancery, and by a suit to which the husband must be a party, a procedure which often resulted in considerable embarrassment. In India, where all the Courts were Courts of Law and Equity, the mode of suing would be less complicated than in England; still the husband must be a party to the suit, and, being so, might raise any questions he liked. One of the questions might be whether the premiums were paid out of the property of the wife, and another whether the property was separate property or not. This latter question might depend upon a number of minute circumstances difficult to ascertain and to interpret aright. He had had some experience in these discussions about separate property, and could inform the Council that often they could not be decided without ripping up a great deal of domestic life. What we wanted then was to avoid any such question as to what is separate property, and lay down a broad rule that if the wife contracts with the insurance office, and she provides the money by which the insurance is effected, the insurance office shall ask no questions as to whether the property in question was her separate property or not. That again seemed to MR. HOBHOUSE not only a matter of great convenience, but a matter of plain justice as between husband and wife. We must remember that a wife's contributions to the family wealth did not usually consist in payments of money. She may bring to her husband no money

at all, and yet may be a very treasure to him even if measured by a mere pecuniary standard. If the wife kept the household together, brought up the children, governed his servants, conducted all his petty dealings with tradesmen, and performed other similar domestic duties, the husband might be a far richer man for her services, although he might provide all the actual money that comes into the family. Then, if he chose that his wife should take every year so much out of the common stock, or out of his stock, and spend it in an insurance for herself or her children, why should she not do so? If the husband chose that that should be done with his property from time to time, MR. HOBHOUSE did not see it was a matter for legal question, or that there should be any legal difficulty placed in the way of the wife's enforcing contracts. It might be the most prudent, the most wise, and the most beneficial arrangement for the whole family, the very best mode of making a provision for them, and it also might be, and often was, a matter of absolute justice, as between husband and wife, which he or his creditors ought not to dispute at any future time. MR. HOBHOUSE, therefore, thought that we ought not to import nice legal questions into such transactions; the broad intelligible mode of treating them was that, if the wife contracted independently with the insurance office, and paid the money, the insurance office should ask no questions, but should be liable to the wife and to the wife alone.

Section six provided that—

"A policy of insurance effected by any married man on his own life, and expressed on the face of it to be for the benefit of his wife, or of his wife and children, or any of them, shall ensue and be deemed to be a trust for the benefit of his wife, or of his wife and children, or any of them, according to the interest so expressed, and shall not, so long as any object of the trust remains, be subject to the control of the husband, or to his creditors, or form part of his estate".

MR. HOBHOUSE could not say that he attached a great deal of importance to that section. In the first place such transactions were not very often effected, because people did not like putting their property beyond their control. In the second place the thing could be done as the law now stood. The effect of the section would be to place such an arrangement on a safer basis. At present it would be in the nature of what lawyers call a "voluntary settlement"; and without leading the Council into technicalities relating to voluntary settlements, he would only state that in contests with the creditors of the settler those settlements stood on a less favourable footing than settlements made for valuable consideration. We proposed to follow the example of the English Legislature in enacting that settlements effected in this particular way should be good as against creditors, but at the end of the section there was an express reservation of the rights of creditors in the case of fraud. He did not attach much importance to that; for fraud would vitiate any transaction whether it was expressly so provided or not. And he did not believe in these foresighted, longheaded arrangements for the purpose of defrauding creditors, and in practice, had never known a single instance in which people deliberately plotted beforehand to defraud their creditors in this kind of way. At the same time those who opposed alterations of the law of property in the case of husband and wife, always insisted on the possibility of frauds being facilitated thereby, and we followed the English Statute in putting on the face of our Bill a warning that such things could not be done more easily than now.

Section seven provided that a woman might maintain a suit in her own name for the recovery of property of any description which, according to the law, was her separate property, and she was further empowered to take remedies for the protection and security of such property. This also followed the English Act. The section related only to technical procedure, and MR. HOBHOUSE was not quite certain that having regard to the differences between English and Indian procedure, whether it was wanted at all. He did

not profess yet to have worked out this point, but when the Bill came into Committee, they would take care that nothing needless or improper should be put into the section.

The eighth section involved a matter of some importance. It provided that—

"A husband shall not, by reason of any marriage subsequent to the thirty-first day of December 1865, be liable to the debts of his wife contracted before marriage, but the wife shall be liable to be sued for, and shall, to the extent of her separate property, be liable to satisfy such debts as if she had continued unmarried."

The effect of section four of the Indian Succession Act was to make the wife what we called a *feme sole* in respect of her property, but it did not go on to relieve the husband from the rule of law which made him liable for the debts of his wife. That rule of law depended upon the English rule, which gave the whole property of the wife to the husband.

But if we abolished the primary rule, the secondary one, which was dependent upon it, ought to go too. It would be unjust both to the husband and to the creditors that he alone should be sued when he had not the property to answer the liability, and that they should not be able to follow the property of their true debtor. The wife keeping her property, ought also to keep her liabilities, and the section was framed with this view.

The ninth section related to the remedies against the wife, as to which some technical difficulties had been conjured up calculated to puzzle one who was not familiar with such things. Fortunately the first case in which difficulties had been raised came before a very sound lawyer who dealt with those difficulties in a very able fashion. It was a case which came before Mr. Justice Phear (*Archer v. Watkins*), in which he brushed away technical and dishonest objections, and made a decree doing substantial justice as between husband and wife on the one side, and those who had made an honest bargain with the wife on the other. Indeed the matter stood so well on that judgment, that if it were certain to be followed everywhere, it would be more prudent to let it alone, lest in attempting to express its principles we should impair their force. But the Council were aware that a number of Courts of co-ordinate authority existed in India, and Mr. Phear's judgment bound only the Subordinate Courts in Bengal. Therefore, to give it the extended authority which it deserved to have, we had endeavoured to embody its main principles in section nine of this Bill.

The remainder of the clause referred to the arrest and imprisonment of married women. Mr. HOBHOUSE confessed that he was very doubtful whether, if a woman were made a complete owner of property, she should not incur the whole of the responsibility. However, the prevailing opinion was the other way; but that was a matter which should be carefully considered when the Bill went into Committee.

The Motion was put and agreed to.

#### MERCHANT SHIPPING ACT AMENDMENT BILL.

The Hon'ble MR. HOBHOUSE also introduced the Bill for the further amendment of Act No. I of 1859 (*for the amendment of the law relating to Merchant Seamen*), and for other purposes, and moved that it be referred to a Select Committee with instructions to report in three months. He had explained to the Council on a previous occasion that the object of this Bill was three-fold. One object was to enlarge the number of the members of the Court which sat to investigate the causes of accident, another was to give larger powers to that Court to obtain the attendance of witnesses; and the third was to clear up some verbal difficulties which occurred in

Act XV of 1863, section 4. Those three objects were provided for by three clauses in the Bill. The first clause enabled the Government to add more persons to Courts of investigation, those persons being conversant with either mercantile or maritime affairs. The second clause conferred on the sitting Court certain magisterial powers for compelling the attendance of witnesses. The third clause cured, or at least it was hoped it would cure, the difficulties which had been found in the Act of 1863. It was hardly necessary to explain at length what was the nature of those difficulties. He might shortly state that each Act, that of 1859 and that of 1863, established a Court or tribunal for enquiring into the cause of disasters. Part of the validity of the proceeding under the Act of 1863 depended upon the presentation of a report, and the Act was so worded that it was impossible to tell whether the report in question was the report of the Court established by the Act of 1859, or the report of the Court established by the Act of 1863.

The Motion was put and agreed to.

#### OUDH LAWS BILL.

The Hon'ble MR. HOBHOUSE also introduced the Bill to declare and amend the laws to be administered in Oudh, and moved that it be referred to a Select Committee with instructions to report in three months. He said that leave was given to introduce this Bill so long ago as the 14th July 1871, on the motion of Mr. Cockerell, who was then an Additional Member of this Council; and as the leave was given so long ago, MR. HOBHOUSE thought it would be necessary that he should, as briefly as he could, re-state the reasons which made it necessary to pass such an enactment, and the exact work which it was intended that the proposed Act should do.

Prior to the year 1861, the Government of India assumed the power of making laws for newly-conquered Provinces by the action of the Executive alone, and of varying those laws from time to time, in fact exercising general legislative power until the regulations had been formally applied to the Conquered Provinces. That, in fact, was one of the greatest distinctions between the Regulation and Non-Regulation Provinces. The principle was perfectly familiar to English lawyers, for the Crown has always done, and does at this moment, exactly the same thing with regard to what are called "Crown colonies," that was to say, those newly-settled countries in which it was necessary to introduce some law, and which had not yet received any legislatures of their own. Nobody would contend that the East India Company had the same prerogatives on all points as the Crown, but in this particular matter, MR. HOBHOUSE confessed that they seemed to him to have acted, whether consciously or not, on a perfectly sound analogy. The prerogative of the Crown was founded on the plain necessity of the case, and the East India Company were under at least as pressing necessity. When they conquered some fresh country or stepped into the shoes of some dispossessed potentate, they found themselves armed with the power, and charged with the duty, of making whatever laws were necessary for the peace and good order of their newly-acquired provinces. This duty they discharged in the simplest and most direct way through the Executive Government. Doubts, however, were felt in high quarters as to the validity of those proceedings, and those doubts received an emphatic expression from MR. HOBHOUSE's able predecessor, Sir Barnes Peacock. The expression of these doubts led to the passing of a provision in the Indian Councils' Act of 1861. Section twenty-five of that Act recited that doubts had been entertained whether the Executive (naming various executive powers) had the power of making rules, laws, and regulations for the territories known from time to time as "Non-Regulation Provinces", except at meetings for making laws and regulations in conformity with the Acts which regulated those meetings;

and it enacted, that "no rule, law, or regulation which prior to the passing of this Act shall have been made by the Governor General, or Governor General in Council, or by any of the authorities aforesaid, for and in respect of any such Non-Regulation Province, shall be deemed invalid only by reason of the same not having been made in conformity with the provisions of the said Acts."

The passing of that Act was followed by two very important and somewhat extraordinary results. The Council would see how very cautiously it was worded. It recited doubts which had been entertained, and merely said that no rule, law or regulation which had been passed by the Executive should be invalid merely because it had been passed by the Executive and not by the Legislature. However, on the construction of that clause two opinions had prevailed: first, that the power of the Executive of making laws in such instances was entirely annihilated; secondly, that all sorts of informal doings and expressions of opinion by the Executive in these Non-Regulation Provinces had been invested with the force of law. The first of these opinions did not affect our proceedings on this occasion, excepting that it threw upon us, and not upon the Executive, the duty of making laws for the Non-Regulation Provinces. The second opinion was that which led to the great difficulty we were now dealing with. The Executive of these Non-Regulation Provinces did not always embody their orders in a formal rule, law, or regulation. They gave orders and opinions from time to time on special cases, and after the passing of the Councils' Act to which he had referred, letters of an informal character were fished up and declared to have the force of law. MR. HOBHOUSE supposed that the authorities of these provinces had not the slightest idea of what they were doing. If they had they must have felt very uneasy. His Hon'ble friend, Sir Richard Temple, could probably tell how they felt in the Panjáb, but if they had any idea of the enormous effect the Legislature was about to give to their slightest motions, MR. HOBHOUSE should think they must have felt something like Gulliver in Lilliput, when he was obliged to take care that his coat tails did not flap too much, and in what direction he sneezed, lest he should create mischief to his diminutive friends. The consequence of these proceedings however was that nobody could tell what was law and what was not law in the Non-Regulation Provinces. MR. HOBHOUSE remembered himself having to argue a case before the Privy Council, which, if he recollects rightly, came from Oudh, in which the sole point in dispute was what was law and what was not law at a particular time in that Province, and he could assure the Council that the Judges and Advocates in that case all found it a very difficult matter to discover what the law was in that locality.

To explain the state of the law in Oudh, reference must first be made to the law of the Panjáb; for the Council would find that the law of the Panjáb was the origin of the law in Oudh. When the Panjáb was committed to the vigorous hands that administered it for a number of years after its annexation, one of the first things that was done was to promulgate orders, suggestions, documents and forms to the various officers, telling them how to conduct their business; and in the year 1853 a very successful attempt at codification was made by his Hon'ble friend, Sir Richard Temple. He studied the various State documents bearing upon law that had been published by Government, adjusted them, extracted their principles and produced the book which was known as the Panjáb Civil Code. That Code was very much added to by decisions, glosses, and subsequent orders, and it was also encroached upon by general imperial legislation, but substantially it remained the law of the Panjáb till last year, when the Panjáb Laws' Act was passed, an Act similar in principle to the Bill now before the Council.

Into Oudh, the Panjáb Code was introduced in the following way, and MR. HOBHOUSE hoped the Council would pardon him if he read

some rather long extracts from a State document, for it was desirable that the Council should know precisely how the law stood in Oudh at this moment, inasmuch as we were legislating upon that basis.

He would read from a letter written from the Government in the Foreign Department to the Chief Commissioner of Oudh on the 4th February 1856. What was said was this :—

" 20. I am now to communicate to you some general remarks and instructions on the system of administration, which is to be permanently established in Oudh.

21. It has been already intimated to you, that the administration of Oudh is to be conducted, as nearly as possible, in conformity with the system which has been introduced in the Panjab. The general features of that system will be familiar to you. Having for its foundation the principles and practices which have brought the North-Western Provinces to a state of unexampled prosperity, it was so framed in its details as to ensure unity of control and simplicity, by uniting fiscal and judicial authority in the person of the Commissioner and the District Officer: to improve and consolidate the popular institutions of the country, by maintaining the village coparcenaries, and adapting our proceedings to the predilections of the people and the local laws, to which they were accustomed: to promote the prosperity of the country, and the welfare of the agricultural classes, by light and equitable assessments for a fixed term of years; and to expedite the distribution of justice, both civil and criminal, by removing or dispensing with the many unnecessary forms and the technicalities, which encumber the proceedings of the Judicial and Magisterial Officers in the North-Western Provinces, and circumscribe their power for good. That these objects have been accomplished in the Panjab, is due, as must be admitted, in great measure, to the eminent ability and energy with which the administration has been there conducted. But the Governor General in Council is, nevertheless, justified in regarding the general principles of the system, by which the operations in that Province have been regulated, as practically sound and beneficial, and in extending them to the Government of the Province of Oudh.

22. The Governor General in Council has no doubt that this plan of administration may be introduced in the country now about to be placed under your charge, not only with every prospect of ultimate success, but with the utmost facility at the outset. For, besides that the plan can be no longer considered experimental, it is to be observed that Oudh is in fact a Province of Hindoostan Proper, and differs in no essential particulars from our adjacent districts. The population is composed of the same classes; professes the same creeds; uses the same language, or rather the same dialects of the same language, and follows the same customs, as the people of our North-Western Provinces. A very large section of the people of Oudh have served for years past in the Native Army, and through them, and through their relatives domiciled in Oudh, the principles and the practice of our Government have become widely known, and are, without doubt, fully appreciated. The tenures in land, the distinctive characteristics of proprietary village communities, and the usages of the agricultural classes, are believed to be identical with those in the North-Western Provinces. There is, therefore, every reason to believe, and none to doubt, that the system of administration, as modified for the Panjab, and divested of all those forms and technicalities which delay justice, and are specially distasteful to a people unaccustomed to technical litigation, will be acceptable to the people of Oudh, and more completely suited in the provinces itself, than it was to the Panjab, where, nevertheless, its success is undeniably."

Then in a later passage of the same letter the Government say :—

" 44. In 1847-48 a few rules for civil judicature were drawn out for the guidance of the officers employed in the Cis and Trans, Sutlej States; these were in 1849 extended to the Panjab, and it was left to the officers charged with the local administration, laying upon these the foundation of the judicial system, to improve, amend and elaborate them, as practical experience might suggest. In 1854 some "rules for the better administration of civil justice in the Panjab, consisting of two parts, the first relating to the "principles of law" and the second to "procedure," were prepared, and submitted to the Governor General in Council, who, while he demurred for obvious reasons to their being promulgated under the authority of the Government of India, still made no objection to their being circulated by the Chief Commissioner on his own authority, so that they might have the same force as circular orders of the Sudder Dewanny Adawlut. These rules now, for the most part, guide the proceedings of the Judicial Courts in the Panjab, and they have been found so well fitted to the requirements of a new province, and a simple people, so easy in their application, so acceptable to the population, no less than to the officers themselves, and so beneficial in their results, that the Governor General in Council advises that they should be made the ground-work of the civil judicial system in Oudh. Several printed copies of these 'Rules' will shortly be furnished to you for distribution.

45. There appears to be no reason whatever for supposing that the rules of procedure will not be as applicable to the Civil Courts in Oudh as to those in the Panjáb, and there can be no objection to their immediate introduction. It is believed, also, that the principles of law will be found sufficient in the first instance to guide the judicial officers in dealing with the various questions, which will come before them in this branch of their duty. But it will not escape your observation, that in the preparation of the rules under notice, much attention has been given to the *Lex loci*, and that specially in matters relating to inheritance, marriage, divorce and adultery, adoption, wills, legacies and partitions as well as in all commercial transactions, a due regard to local usage has been enjoined. It cannot, of course, be supposed that the *Lex loci* or local custom in provinces differing so widely as the Panjáb and Oudh is in all, or even, in many respects, identical, and it follows that those provisions of the rules, which rest on the *Lex loci* in the Panjáb, cannot, with any propriety, or without risk of injurious failure, be extended to the Province of Oudh.

46. While, then, the Governor General in Council directs your attention to his collection of principles of law as calculated to afford material assistance in the absence of any better or more appropriate treatise, he refrains from requiring the strict observance of them, until it can be ascertained how far they are applicable to the peculiarities of the province and the customs of its people. With this end in view, His Lordship in Council desires me to suggest that all the Commissioners and District Officers, and the most experienced of the Assistants, should be required to study the principles of law in their daily application to the business brought before the Civil Courts, and after the lapse of a twelvemonth or more, as may be hereafter determined, to report to the Judicial Commissioner the opinions which they may have formed to the applicability of the 'Rules of law to the people of Oudh,' and to offer at the same time any remarks and suggestions which may have occurred to them. It may, perhaps, be advisable also to invite the opinions and observations of a few of the Native Extra Assistants, whose past career and official knowledge, and more immediate contact with the people may have qualified them to form a judgment on those points which touch upon Native customs, and to give sound advice. On receipt of all these reports, it will be the duty of the Judicial Commissioner to study the suggestions which they contain, and to recast the collection of rules of law."

That was the origin and basis of the Oudh Law. The Council would observe how the letter was expressed. The spirit of a great many of the Bengal Regulations which had been imported into the North-Western Provinces, was to be observed in the Panjáb, and the spirit of the Panjáb Civil Code was to be observed in Oudh, excepting in so far as the necessary attention to the sentiments, customs and habits of the people rendered it proper to depart from that spirit. If the difficulty, therefore, in the Panjáb of ascertaining the law was great, the difficulty in Oudh was doubled. How much of the spirit of the Bengal Regulations had passed into the Panjáb was a matter of doubt, and it was, therefore, much more a matter of doubt how much of the spirit of the Bengal Regulations being distilled through the Alembic of the Panjáb had been passed on into Oudh. It would be plain to every mind that it could not always be easy to grasp the double-distilled spirit which alone held sway in Oudh. Indeed in one case decided in the Privy Council, it was decided that with respect to questions of dower, the law of the Panjáb Civil Code had been transferred bodily to Oudh. But it would clearly be impossible, consistently with this letter, to hold the same in many other cases; that it would in fact be a violation of the terms of the letter to do so. The letter was clear that in many points not specified the customs and habits of Oudh differed from those of the Panjáb, and as to those points the Judges of Oudh were to follow the customs of Oudh, and to depart from the spirit of the law of the Panjáb. Under these circumstances, it was indeed very difficult to tell what the law was, and it seemed to MR. HOBHOUSE to be exceedingly creditable to the sagacity and judgment of those who had administered the law in that Province, and a strong testimony to the practical wisdom of the apparently hazardous method by which law was introduced into the country, that practical difficulties had been found to arise on so few occasions as in fact they had.

MR. HOBHOUSE hoped he had clearly explained to the Council the nature of the difficulty which existed, and it was impossible to exag-

gerate the difficulty as far as regards its nature. It was very easy to exaggerate it as far as regards its extent and amount, because in Oudh, as in the Panjáb, there had been a gradual but very extensive encroachment on this spiritual law which was introduced by the letter of 1856. Act after Act had been passed which displaced the law founded on the footing of that letter, and substituted laws of a rather more corporeal shape, such as the Penal Code, the Civil Procedure Code, and other bodies of law, which had been extended to Oudh, some with modifications and some without, and we had now a positive law to rely upon in most departments of action. Indeed, if it were not so, the time would not have arrived when a measure of this kind could be submitted to the Council; but the area of uncertain matter had been so much narrowed that it was found practicable now to frame a Bill which should declare the whole law. The Council would remember that at the end of the passages he read from the letter of 1856, it was ordered that reports should be made to the Judicial Commissioner by those who were administering the law in different parts of the Province, and that he should consider these reports and recast the Panjáb Civil Code according to the requirements of Oudh. These reports, MR. HOBHOUSE believed, were never made. Whether any work of the kind was undertaken, MR. HOBHOUSE did not know; if it was undertaken it was broken off, and he believed was never resumed. But what was done was this: In the year 1863 or 1864, a Commission was appointed for the purpose of sifting the various orders of the Government and of finding out what were the laws, rules and regulations which had got the force of complete law under the Indian Councils' Act, and what had not got it. The result of that enquiry MR. HOBHOUSE held in his hand, and he found in it a tabular statement of the Regulations and Acts which were supposed to be in force in Oudh. There were two hundred and forty-seven Regulations and Acts, of which the majority were applicable only in spirit, and MR. HOBHOUSE had explained that that spirit had passed through two media, first, from Bengal to the Panjáb, and, secondly, from the Panjáb to Oudh. Another column of this tabular statement showed also how far this spiritual law had been replaced from time to time by the corporeal law, so that we had before us a complete statement up to the year 1864 of the positive law which prevailed in Oudh, on which we could lay our hands, and of that uncertain region which he could call by no better name than spiritual law.

There had been a good deal of legislation since extended to Oudh, the whole of which might be found stated in the very valuable list of Acts which had been published by Mr. Stokes. There had been the Rent Act, the Civil Courts' Act, and lately the Contract and Evidence Acts, and so far the law had been ascertained.

We now came to get rid of all the uncertain matter, and here we had a most valuable model to follow in the Act which was passed last year for the Panjáb. We had taken that as our model, had departed from it in some details, but in the main principles we had adhered to it. The principles of the present Bill were these: We expressly enacted in the Bill those laws which were peculiar to Oudh, and which deviated from the general law of India. We expressly extended to Oudh all those regulations of which the spirit now prevailed there, and which it was fit should be extended in body. We gave the Local Government power to make rules on several special subjects. We described the different classes of enactments now in force, so that the Bill might comprehend the whole law applicable to the Province, and then, with these exceptions, we repealed every kind of law which applied to the Province at all.

MR. HOBHOUSE would briefly explain the details of the Bill. By section two we repealed the Regulations, Acts, Rules and Orders mentioned in the first schedule. The principal of these were all the Bengal Regulations now in force in Oudh, excepting those specified in the second schedule, which were referred

to in section three, clause (4). That got rid of all unnecessary Bengal Regulations of which it might be contended that the spirit extended to Oudh, and in the second schedule were contained all those that ought to extend to Oudh with the various modifications with which they were to be applied. The second great item of repeal was, except where expressly provided otherwise in the Bill, all rules, laws and regulations made for the Province of Oudh, or any part thereof which had acquired the force of law under the Indian Councils' Act. By that we hoped to get rid of those controversies which had already cropped up and might crop up any moment in a most inconvenient shape, as to what was, or was not, law in Oudh, and how far any Act of Government had acquired the force of law. The other matters of the schedule were merely matters of detail which MR. HOBHOUSE need not describe. By section three we proposed to declare what was law. First, we named all the Statutes and Acts which applied expressly to Oudh, or to the whole of British India, of which Oudh was a part; next, all existing Acts heretofore extended to Oudh under those powers which were so common in our Indian legislation, namely, the power of the Executive to extend to one Province a law which had been enacted for another; thirdly, those Regulations and Acts of which the spirit already prevailed there, and to which it was thought fit the body should extend; fourthly, the laws for the time being in force regulating the assessment and collection of land-revenue. The reason for not repealing the Revenue laws was that another Bill, as the Council would remember, was pending on the subject of land-revenue in that Province. That Bill was not ready to proceed. It was introduced by Sir John Strachey last year, but was now under the consideration of the Executive, and therefore, until it did proceed, the existing laws relating to land-revenue must be kept up in their full force. Then came clause (5) of section three, in which a number of questions was specified which MR. HOBHOUSE might call the domestic questions of various communities. The law which was to prevail was this: First, any custom which was not contrary to justice, equity, or good conscience, and had not been declared to be void by any competent authority; then came the ordinary words which were found in the Regulations from the very earliest times,—the Muhammadan Law in cases where the parties were Muhammadans, and the Hindú Law in cases where the parties were Hindús, except in so far as such law had been by legislative enactment altered or abolished, or was opposed to the subsequent provisions of the proposed Act, or had been modified by the custom above referred to. That arrangement and language were the arrangement and language of Sir George Campbell, who, when the Panjáb Laws' Act was passed, called attention to the importance of placing the custom of the country in the very van of the law that had to be administered. He moved an amendment which was to the effect of the clause which now existed in the Panjáb Laws' Act, and which we had imported bodily into this Bill. Sixthly, we mentioned the rules contained in the third part of the Bill, *i.e.*, the law which was special to Oudh. Seventhly, the rules made in exercise of the power conferred by section ninety-one. Those were the rules which the Local Government had power to make. And then we reverted to the time-honoured and excellent formula which had been in use in India for eighty years, namely, that in cases not provided for by the former part of section three, or by any other law for the time being in force, the Courts shall act according to justice, equity and good conscience. Then followed the fourth section, which provided for the validity of local customs and mercantile usages.

That was the whole of the positive law for Oudh, excepting what was contained in Part III. That part dealt with special matters which either had been taken from the Panjáb Civil Code, or had grown up as law in Oudh. The first chapter dealt with the subject of minority. It was taken mainly from the Panjáb Civil Code, but two or three clauses had been added dealing with matters not provided for by that Code. There was an Act in existence relating to

minors who were not European British subjects, and we had been careful not to interfere with the provisions of that Act. The next chapter related to the Courts of Wards. Then came the chapter relating to the betrothal of Hindús and Muhammadans. This was not in the Panjáb Laws' Act. MR. HOBHOUSE did not know why this was so, but it was probably found that the prevailing communities in the Panjáb did not use that law. At all events we had adopted it in this Bill, as prevailing in and suitable to Oudh. The next chapter consisted of one section relating to the subject of dower. MR. HOBHOUSE believed it was customary among the Muhammadans for the man to profess to give his wife a great deal more dower than he could afford. When, however, the wife came to claim her dower, her claim was commonly resisted, and it was consequently found necessary to have a law providing that dower might be restrained within reasonable dimensions. The next part of the Bill related to pre-emption and partition, and the whole of that chapter was either taken from the Panjáb Laws' Act, or was a modification of Act XIX of 1863, an Act which applied to the North-Western Provinces, and which had been extended to Oudh by a Notification with some modifications that had been introduced in the Bill.

The next part of the Bill related to the Law of Limitation. That also embodied the law at present existing in Oudh. The next related to Insolvency. That had been taken almost entirely from the Panjáb Laws' Act. The Council was aware that there was no general provision for insolvency in India, excepting the very short and meagre clauses which were contained in the Civil Procedure Code. Then came the subject of the section relating to intestacy, which was taken from some of the Bengal Regulations, and inserted in the Bill to avoid the retention on the Statute-book of mere fragments of regulations. So with regard to juries. They were summoned under the authority of a letter in the Foreign Department in 1859, before the Indian Councils' Act. We took a portion of that letter, which had the force of law, and the rest of it would be repealed by the general repealing clause. So also with the modifications of the Code of Civil Procedure. The part which was added relating to decrees concerning land was, MR. HOBHOUSE believed, new. It provided that the sanction of the Local Government shall be necessary to the sale of under-proprietary rights in land, in satisfaction of a decree for arrears of rent under the Oudh Rent Act of 1868. The reason that the Oudh Government recommended the introduction of that provision was that the sales under decrees had reached proportions which were calculated to alarm the Government, and they considered it desirable that the Local Government should have a control over those sales.

With regard to chapters VII and VIII, which relate to escheats and hidden treasure, those were provisions of existing regulations, which had been taken out in order that the whole regulation might disappear from the Statute-book. Chapter IX related to Military subjects and dealt with Cantonments and Military Bázars. That chapter was also founded upon regulation which we had left entirely alone. It related to military affairs with which lawyers were very shy of dealing. Chapter X related to miscellaneous matters, and chapter XI to the rules which the Local Government might make as to such matters as chaukidárs, public health and conservancy, managing fairs and large public assemblies, and imposing, with the sanction of the Supreme Government, taxes for those purposes only. The clause at the end of the chapter which we had taken from the Panjáb Laws' Act required that all such rules and circulars issued by the Judicial Commissioner shall, with the previous sanction of the Governor General in Council, be republished once at least in every year, and, upon such republication, shall be arranged in the order of their subject-matter; and all such alterations and amendments as may have been made in the course of the preceding year, or may have become necessary or advisable, shall be embodied therewith, and upon such republication, all such rules and circulars previously issued shall be repealed.

MR. HOBHOUSE ought to have stated beforehand that this Bill had been prepared almost entirely after great labour and attention by the present Judicial Commissioner of Oudh, acting in concert with the Chief Commissioner.

MR. HOBHOUSE must also state the great obligation we were under to the Panjab Laws' Act. It was easy enough for one man to walk in the path which another man had made; but the great difficulty was to cut one's way through the yet unexplored jungle, and find out where the firm places were, and where he might walk with confidence. That had been done by MR. HOBHOUSE's predecessor and friend, Mr. Stephen, in the Panjab Laws' Act. What we had done was to follow, with respect to Oudh, the road he had made for us in respect to the Panjab.

The Hon'ble MR. BAYLEY said there were some portions of the third chapter of the Bill relating to the very delicate subject of betrothal which struck him as being open to considerable discussion, as also the provisions of the same chapter of the Bill in regard to minors. He thought that in some respects they did trench upon the religion of some portions of the community, and he thought these points would have to be looked to with particular care and accuracy. There were other minor points in the Bill which MR. BAYLEY thought would also require very careful attention from the Select Committee; although MR. BAYLEY did not exactly object to them, yet there were some questions raised by the provisions as regards the law of pre-emption which touched upon very difficult points, and he felt doubtful whether some of the modifications which the Bill imposed on this subject would be necessary.

Chapter IX., that which dealt with Cantonment Law, he thought the Council would bear him out in saying was one of extreme difficulty, and he was by no means prepared to say that these sections would not be altogether superseded by the general law which had been long in contemplation by the Government of India. While, therefore, MR. BAYLEY had no reason to oppose the introduction of the Bill, he thought he might commend the special points remarked upon to the particular notice of the Select Committee, who, he was sure, would find them rather difficult subjects to deal with.

His Excellency THE COMMANDER-IN-CHIEF said, that in reference to the remarks made by his Hon'ble friend, Mr. Bayley, he would take the opportunity of causing the Quartermaster General to bring before the Select Committee such observations as might seem necessary to His Excellency. Most of the sections of the Bill were very useful, but there was one point which appeared to him not to be clearly provided for, which was the expulsion from cantonments of improper characters. Occasion might arise for the necessity of removing from cantonments persons who might be either politically disaffected, or whose habits and trade were injurious to the discipline of the army. This was not clearly provided for under the sections of the Bill. He would, however, take an opportunity of laying his suggestions on the subject before the Select Committee when it was appointed.

His Excellency THE PRESIDENT said: "In reference to the observations made by the Hon'ble Mr. Bayley and His Excellency the Commander-in-Chief, it will of course be very desirable that in a Bill of this kind all the details should be thoroughly worked out by the Select Committee.

"With regard to the doubts which Mr. Bayley appears to entertain as to the different religious bodies in Oudh being interfered with by the provisions of this measure, with respect to minority and betrothal, I understand from a letter from the Chief Commissioner, that those provisions are substantially the same as the law which is at present administered in Oudh.

"I trust, therefore, that nothing in the Bill will be found to interfere with the rights of the different religious bodies in Oudh, when the Committee come to consider it.

"With respect to the observations of His Excellency the Commander-in-Chief, it would be desirable that any question connected with Cantonment Law should be laid before Government in the Military Department, where it will be taken up and referred to the Committee upon the Bill, if necessary."

The Hon'ble Mr. HOBHOUSE hoped that his Hon'ble friend, Mr. Bayley, would not confine his criticisms on the measure to the Council table, but would give them the benefit of his opinions on the Select Committee.

The Motion was put and agreed to.

#### BOMBAY REVENUE JURISDICTION BILL.

The Hon'ble Mr. ELLIS begged leave to postpone the introduction of the Bill to limit the jurisdiction of the Civil Courts throughout the Bombay Presidency in matters relating to the land-revenue. He said that when he asked leave to introduce the Bill, he explained that it would not be introduced until the details had been settled in full discussion with the Bombay Government. A reference had been made to Bombay, but sufficient time had not elapsed to allow of an answer being returned.

Leave was granted.

#### NAWAB NÁZIM'S DEBTS BILL.

The Hon'ble Mr. HOBHOUSE also begged leave to postpone his motion for leave to introduce a Bill to provide for the ascertainment and settlement of the debts of His Highness the Nawáb Názim of Bengal, and for other purposes.

Leave was granted.

#### LAND IMPROVEMENT ACT AMENDMENT BILL.

The Hon'ble Mr. HOBHOUSE also moved for leave to introduce a Bill to amend Act No. XXVI of 1871 (*The Land Improvement Act*). He said that the necessity for this Bill was that some doubt had arisen on a very vital point of the Bill, namely, the nature of the security which the Government were to get for their advances. The Act provided that the Collector should grant a certificate which was to state the nature of the advances, and among other things the position, extent and boundaries of the land to be improved, and the nature and amount of the security, if any, other than the land to be improved. Then the next clause provided in the first place that the money shall be "recoverable from the person to whom the advance was made, or from any person who has become security for the re-payment thereof, as if they were arrears of land-revenue due by the person to whom the advance was made, or by his security."

The remainder of the clause was as follows:—

"If any such sum cannot be so recovered, it shall be recoverable as if it was an arrear of revenue due on the land specified in the said certificate:

"Provided that when the person to whom the advance was made is a landlord or a tenant having a right to transfer his interest in the land without the consent of the landlord, the interest of no person, other than such landlord or tenant, in the said land shall be sold under this section."

On that clause two questions had arisen; in the first place was the advance made by the Government a first charge upon the land to be improved, in priority of all other charges, whether they had priority in point of time or not? On that subject, Mr. HOBHOUSE was sorry to say that lawyers differed, and so did others. Mr. Pitt Kennedy considered, though with substantial doubt, that the Government advance was the first charge

upon the land, and the authorities of the Department of Agriculture, Revenue and Commerce were of the same opinion. On the other hand, the Chief Commissioner of the Central Provinces took the other view, and sent up the matter for advice, and so raised this question ; and the Department over which MR. HOBHOUSE had the honour to preside, also, though with substantial doubts on their part, took the opposite view to Mr. Pitt Kennedy. The second question was, whether the land specified in the certificate included any land which might be given as security. There the lawyers did not differ. Mr. Kennedy, Mr. Stokes, and MR. HOBHOUSE were agreed that it did not, and thought that it was confined to the land to be improved. MR. HOBHOUSE would not go into the legal argument on the matter ; he would merely say that other people, especially the authorities of the Department of Agriculture, Revenue and Commerce, had taken a different view, and therefore it was proposed to clear up the doubt.

It was obvious that both these questions affected very materially the security of the Government, and as connected with that, the extent to which the Act would operate. His friend, Sir Richard Temple, had a great voice in the matter, and when he was asked for his money, he would no doubt in his turn say : "Where is my security ?" And if he found that the lawyers were disputing, and could not tell him very clearly what his security was to be, he would button up his breeches' pocket, and decline to advance his money until he could obtain a security that could be relied upon. We therefore proposed to make the Act clear on those points. The two principles which ought to govern such transactions were, first, that advances made by Government for the improvement should be a charge on the land to be improved in priority to all other charges, and to all interests in that land ; and secondly, that if other land was given by way of security, the Government advance should rank with other charges in the same way as if it were an ordinary advance by a private person.

The Motion was put and agreed to.

#### PRIVY COUNCIL APPEALS BILL.

The Hon'ble MR. HOBHOUSE moved that the Hon'ble Mr. Ellis be added to the Select Committee on the Bill to consolidate and amend the law relating to the admission of appeals to Her Majesty in Council from judgments and orders of the Civil Courts.

Before the Motion was put, he should like to explain to the Council the reason for proceeding with this Bill in Committee. When we reported last year, we concluded our Report thus :—

"With the exception of the clauses relating to appeals from Subordinate Courts of final appellate jurisdiction, an innovation made necessary by the altered position of these Courts in Oudh and Burma, the Bill is nearly a measure of consolidation. We have, therefore, abstained from dealing with three important questions: first, as to whether the limit of value should be raised ; second, whether appeals should be confined to matters of pure law ; and third, whether the High Courts might not in proper cases allow a decree to be executed, without demanding security, notwithstanding that an appeal has been preferred to the Privy Council.

"We think that, before proceeding further with the Bill, it will be expedient to submit it for the approval of the Secretary of State for India and of the Judicial Committee of the Privy Council."

Now, of these three questions, on the question as to the limit of value, by which was meant that there should be no appeal as of right to the Privy

Council, except in cases of a value higher than the present value Rs. 10,000, there was a great consensus of authority in India that the limit of value should be raised, and in considering our Consolidation Bill that important alteration was pressed upon us. The second question was referred to us expressly by the Secretary of State. He appointed a Committee to enquire into the mode of diminishing the number and magnitude of the appeals from India, and one of the recommendations of that Committee was that the appeals should be confined to matters of pure law, either wholly or partially. The third question was pressed upon us by the High Court of Calcutta, when we were preparing the Bill of last year, who pointed out its extreme importance, and recommended an alteration of the law. In view of these considerations we concluded our Report by recommending that before proceeding with the Bill, it should be republished and copies sent to England. That was done, and the Secretary of State had communicated with the Judicial Committee of the Privy Council on the subject. We had recently received his answer. The effect of it, with respect to the points raised, was this, that on the first question as to the limit of value, the opinion of the Privy Council was in the negative; they thought the present limit should not be raised. On the second question, MR. HOBHOUSE was afraid their opinion was in the negative too, because what they said was that they thought nobody should appeal on a question of pure fact, but that when anybody had appealed, appeals should be just as open to the Privy Council as they were now. Now nobody did appeal on a question of pure fact. What a man appealed from was an order that he should pay a certain sum of money, or an order that he should give up a certain property. How much of fact and how much of law the order involved, the order itself did not disclose, nor did the mere appeal from it. An order of a Court of Justice was a concrete thing, being the practical embodiment of some conclusion of law on some finding of facts; and it was from that concrete thing and not from one of its constituent parts that the dissatisfied party appealed. He was afraid, therefore, that to say that a man was not to appeal on questions of pure fact, would operate little. But it was a point which the Select Committee ought carefully to consider.

The Judicial Committee then made two practical suggestions. One was that we should make the parties to appeals proceed quicker. That again was a matter which the Select Committee would have to consider very carefully, but MR. HOBHOUSE should be wrong not to state his strong impression that we could do nothing of the kind; that when the appeal was once before the Privy Council, it had passed from our control, and we could not inflict the only available penalty for delay, which was to say that the appeal should be quashed. That would be interfering with the prerogative of the Crown, which we wished particularly to avoid. Nothing, he thought, could be done excepting by rules of the Judicial Committee themselves to make the parties move quicker, and we could not pass any rule for the purpose. The second suggestion was that there were not likely to be so many appeals if we improved the Courts in India, and they stated their opinion that a larger number of Judges was likely to lead to greater satisfaction to the suitors. The Council were well aware that the subject of the improvement of the Courts in India had been one of long, earnest, and anxious attention on the part of the Government, and we only wished we could find out the proper way of improving them. This very suggestion of having the Courts more largely manned, and of having a more solemn hearing of cases, was pressed upon us by some members of the High Court, and other great authorities. But then, unfortunately Sir Richard Temple stood in the way; it would be a very expensive thing to employ the number of highly paid officials which the case would require, and Sir Richard Temple was always telling us that we must cut our coat according to our cloth; that he had not got any more cloth for us; and that we must be content with a short and narrow skirt instead

of a broad and long one. No doubt, the suggestion, if it could be acted upon, would be a great improvement, but if we had not got the money we must wait.

We must examine these suggestions of the Privy Council, and see how far we can act upon them, and if we cannot act upon them, we must then proceed with the Bill, and see also how far we could introduce the alteration with respect to executions which had been commended to us by the High Court of Calcutta, and which MR. HOBHOUSE thought would be a very desirable alteration to make.

Those were the reasons why MR. HOBHOUSE wished this Bill to be proceeded with, notwithstanding the report that we made last year that it should be hung up for the present.

The Motion was put and agreed to.

#### NATIVE PASSENGER SHIPS AND COASTING STEAMERS BILL.

The Hon'ble MR. HOBHOUSE moved that Major-General the Hon'ble Sir H. W. Norman be added to the Select Committee on the Bill to consolidate and amend the law relating to Native Passenger Ships and Coasting Steamers.

The Motion was put and agreed to.

#### LUNATIC SOLDIERS' PROPERTY BILL.

Major-General the Hon'ble SIR H. W. NORMAN presented the Report of the Select Committee on the Bill to provide for the security and application of the effects of Officers and Soldiers becoming insane on service, but not removed, put on half-pay, or discharged.

He said that the Committee had only recommended two slight alterations in this Bill, both of which were to be found in the sixth section. The first alteration was at the end of the first clause of that section, and provided that the Committee might sell such part of the property as they thought fit, instead of, as the clause previously stood, being obliged to sell all the property which did not consist of money. The other alteration was in clause three of the same section, and empowered the Governor General in Council to delegate to such officers as he might appoint the power to prescribe the manner in which the surplus should be disposed of. This would enable the procedure to be brought in close accord with that in force in respect to assets of deceased Officers.

The following Select Committees were named :—

On the Bill to explain and amend the law relating to certain Married Women, and for other purposes,—The Hon'ble Messrs. Ellis and Bayley, and the Mover.

On the Bill for the further amendment of Act No. I of 1859 (*for the amendment of the law relating to Merchant Seamen*), and for other purposes,—Major-General the Hon'ble Sir H. W. Norman, the Hon'ble Mr. Bayley, and the Mover.

On the Bill to declare and amend the laws to be administered in Oudh,—The Hon'ble Messrs. Ellis and Bayley, and the Mover.

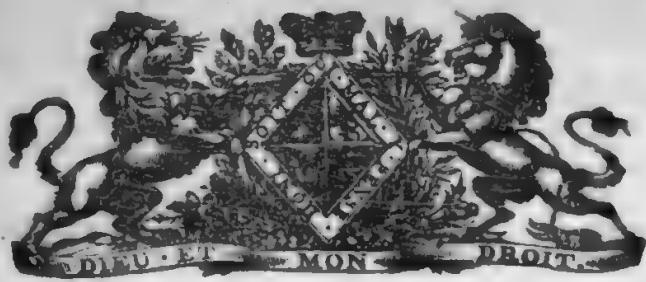
The Council then adjourned to Thursday, the 11th September 1873.

SIMLA,

The 28th August 1873.

WHITLEY STOKES,

Secretary to the Govt. of India,  
Legislative Dept.



EXTRA SUPPLEMENT TO  
**The Gazette of India.**

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SIMLA, SATURDAY, SEPTEMBER 13, 1873.

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OFFICIAL PAPERS.

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DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE.

GOVERNMENT OF INDIA.

DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE

Reports on the state of the season and prospects of the crops for the week ending the 11th September 1872

**GENERAL REMARKS.—Reports from Madras** are favorable. In Khandesh and the Deccan Districts prospects continue favourable; more rain is wanted in the Southern Mahratta country. From Bengal reports are generally good, except from the Patna Division, where more rain is wanted. In the North-Western Provinces and Oudh there has been an ample fall and prospects are abundant, and prospects are very good. In Mysore prospects continue to improve, but no heavy or continuous rain has yet fallen.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospecta.	Remarks of Local Government or Administration.
Kistna	***	September 10 ..	'66 to 4:50	September 11	... Rain-fall '68 at Manilipatam ; 4:50 at Visenapetta ; 30 at Nandigama ; about 10 elsewhere ; fire feet water over ancient ; some tanks in upland taluks received supplies ; transplantation going on in delta ; sowing dry crops continues generally in upland taluks ; standing crops thriving ; prices slightly falling in Nandigama and Visenapetta ; steady elsewhere ; markets fairly supplied ; pasture available ; fodder scarce ; small-pox and fever subsiding ; guinea-worm in three taluks ; cattle disease slightly fatal in Bapatla and Krossur ; abating elsewhere.	... Rain-fall '68 at Manilipatam ; 4:50 at Visenapetta ; 30 at Nandigama ; about 10 elsewhere ; fire feet water over ancient ; some tanks in upland taluks received supplies ; transplantation going on in delta ; sowing dry crops continues generally in upland taluks ; standing crops thriving ; prices slightly falling in Nandigama and Visenapetta ; steady elsewhere ; markets fairly supplied ; pasture available ; fodder scarce ; small-pox and fever subsiding ; guinea-worm in three taluks ; cattle disease slightly fatal in Bapatla and Krossur ; abating elsewhere.
Kurnool	***	***	'06 in one day.	'06	... Rain-fall '06 in one day in Kurnool ; season favorable, except in Koilkonda and Marlapur where crops are fading ; prices continue high ; markets well supplied ; pasture and water becoming scarce ; dengue in Nandikottar ; fever in Ramelkotta, Patikkonda, Nandia and Cumbum ; small	... Rain-fall '06 in one day in Kurnool ; season favorable, except in Koilkonda and Marlapur where crops are fading ; prices continue high ; markets well supplied ; pasture and water becoming scarce ; dengue in Nandikottar ; fever in Ramelkotta, Patikkonda, Nandia and Cumbum ; small

**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 18, 1873.** 3

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.	
<i>Gujarat.</i>							
Ahmedabad	...	September 10	...	0·53	September 11	...	Crops continue well; slight fever and dysentery.
Kairn	...	"	..."	Total 25·42	"	..."	Weather generally good; fever prevalent; casualties among cattle in Anund; crops good.
Surat	...	"	..."	4·72	"	..."	Weather, crops and public health good; wheat 12·6 sars.
Broach	...	"	..."	3·78	"	..."	Crops good; fever continues; bajra 17 sars.
<i>Khandesh and Nasik.</i>							
Khandesh	...	"	..."	3·13	"	..."	Crops promising; fever prevalent; bajra 19·5 sars.
Nasik	...	"	..."	1·17	"	..."	Early crops improving; public health generally good; rice 9 sars; wheat 13 sars.
Thana	...	"	..."	5·62	"	..."	Rain-fall beneficial to crops throughout the district; public health good, except in Warr and Shapur talus, where fever prevails; cattle disease in Shapur taluq; rice 7·5 to 13 sars; wheat 9·25 to 12 sars; bajra 14 to 16 sars.
<i>Deccan.</i>							
Poona	...	"	"	0·6	"	..."	A further fall of rain in all talus has lessened the fear of a bad season; standing kharif crops doing well; sowing of rubhee commenced in some talus; public health good; cattle disease slightly exists in Haveli; bajra 16·42 sars.

BOMBAY.—(continued) ...

**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873.** 5

6 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.	
						Public Health.	General Remarks.
Burdwan	... September 9	... 1.15	September 10	...	Weather cloudy and close; no rain in the south-east; heavy rain in the west; early paddy being cut; prospects of late paddy good, but more rain wanted.	Burdwan.—Public health good in the north and west and bad in the Shudder and Jethababad Sub-divisions.	
Twenty-four Pergunnahs ..	.. " 24	.. " ..	"	...	Weather close and showery with heavy rain on Saturday; jute is being cut, but the crop is not quite so good as that of the past two years; ahs is being cut at Barasat, Barripur and Bueerhaut; transplantation of aman paddy going on.	Twenty-four Pergunnahs.—A good deal of ordinary fever prevalent.	
Dacca	... "	... "	3.13	..."	Weather rainy with occasional sunshine; prospects of crops good.	Dacca.—Public health good.	
Bengal ...	Patna ...	... "	63	..."	Weather clear and fine, and does not show signs of more rain; the small amount of rain which has fallen has done good, insasmuch as it keeps the crops alive, but much more is wanted.	Patna.—The number of cholera cases has decreased in Behar and public health in the rest of the districts is generally good.	
Bhagulpore ...	...	..."	2.55	..."	Weather fine and cool but little rain; easterly wind; a great deal of rain still wanted for winter rice crop, which is very backward and not half transplanted.	Bhagulpore.—General health good, but fever as usual at this season is appearing in the north of Ganges.	
Cuttack ...	...	..."	3.60	..."	Weather generally cool and cloudy with light rain; prospects of all crops good.	Cuttack and Kamrup.—Public health good.	
Kamrup	...	..."	2.03	..."	Weather was cool and fine occasionally; very heavy rains; late dhan, tea, and sugar-cane crops thriving.		
Gorakhpur ...	...	.....	1.00	September 11	Rain wanted; crops have suffered.		
Benares ...	...	.....	3.10 to 6.60	"	Good and sufficient fall; prospects improve; cholera decreasing.		
Mirzapur ...	...	.....	7.0 to 3.50	"	Rain still wanted in south; prices a little dearer.		

**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873.**

Allahabad	...	.....	3:00	..	...	Prospects good.
Banda	...	.....	2:30 to 4:50	..	...	Khureef could not be better; agricultural affairs promising; some scattered cholera.
Hunseepoor	...	.....	.....	..	...	No report received.
Jaloun	...	.....	·80 to 4:30	September 11	...	Prospects favorable.
Jhansi	...	.....	6:70	..	...	Khureef promises well; relief continues; fever prevalent.
Cawnpore	...	.....	3:00	..	...	More rain not wanted; prospects of khureef good.
Futtehgarh	...	.....	2:30	..	...	More rain threatens; prospects very good; prices unchanged.
Agra	...	.....	3:30	..	...	Rain has done much good; cholera still hangs about.
Muttra	...	.....	3:00	..	...	Rain beneficial, but khureef not good; much small pox.
Allygurh	...	.....	1:00 to 5:00	..	...	Rain-fall has saved the khureef; health good.
Meerat	...	.....	·60	—	...	Prospects fair.
Saharunpoor	...	.....	·30	..	...	More rain wanted; crops good.
Bijnour	...	.....	·90 to 3:10	..	...	Crops reported flourishing; district healthy.
Moradabad	...	.....	Not stated.	.....	...	Weather seasonable; prospects good.
Bareilly	...	.....	2:00	September 11	...	Crops good except rice; health good.

South Western Prov.  
ICES ... ...

8 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 18, 1878.

Province or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.		Remarks of Local Government or Administration.
Jullundur	...	...	0·2	September 11	...	Crops better; but more rain required; health good.	
Umballa	...	.....	Nil.	"	...	Crops and health good.	
Peshawar	...	.....	Nil.	"	...	Ploughings completed; fever prevalent.	
Rawal Pindi	...	.....	.....	"	...	Rain fallen in most parts of the district; crops and health good; fever of a mild type prevalent.	Fever prevalent: agricultural prospects fair, though rain is wanted in some parts.
Delhi	...	.....	0·5	"	...	Crops thriving; there was fever of epidemic type, but the latest reports are very favorable.	
Mooltan	...	....	Nil.	"	...	Khureef prospects in Mooltan are progressing. Canals gone down in Shujabad; indigo, paddy and sugar-cane crops are withering for want of water; fever prevailing; weather mild.	
Lahore	...	.....	.....	"	...	Rain much wanted; prices rising.	
Punjab	...	...	4·8	September 10	...	In one district, Gonda, the prolonged break in the rains in August is reported to have done permanent injury to the finer rice; throughout the rest of the province the khureef prospects continue excellent; in the southern districts the earlier khureef grains are ready for the sickle.	
					"		
Oudh	...	...	2·4	September 10	...	Weather rainy; tanks not quite full; crops doing well; dengue lingering; prices slightly risen.	
					"		
Chanda	...	...	4·18	September 6	...	Prospects of rice much improved; other crops good; no epidemic.	
Seoni	...	...	6·42	September 10	...	Prospects of crops excellent; dengue prevalent in permanent Aarti and Kand;	
Wurdah	...	...	4·0	"	...	Prospects of rice much improved; other crops good; no epidemic.	

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873. 9

Bilaspur	...	September 6	2-09	... Weather cloudy; prospects of rice crop more cheering; cotton, Jowar and very healthy; prices falling.
Bhandara	...	September 7	15-0	... Tanks and wells full; rice much benefited; and early crops which were parched reviving; transplanting progressing vigorously; grain abundant; no epidemic.
Jalalpur	...	September 10	8-88	... Prospects favorable; health good.
Demoh	...	...	5-05	... Prospects good; district healthy.
Mandla	...	...	2-90	... Prospects excellent; prices rising.
Saugar	...	...	2-50	... Prospects good.
Narsinghpur	...	...	8-0	... Prospects favorable; prices stationary; fever, guinea-worm and diarrhoea prevalent.
Hoshangabad	...	...	10-40	... Weather cloudy; transplanting resumed in Katangi tahsil, completing elsewhere; prices steady.
Baitola	...	...	6-72	... Weather cloudy; prospects very favorable; only early rice suffered; prices steady.
Nimar	...	...	2-66	... Rain too late to save more than half of the rice crop; other crops promising; prices steady; smallpox in Lakkipur.
Balaghat	...	September 6	6-90	... Prospects considerably improved; prices stationary; health good.
Nagpoor	...	September 10	4-92	... Rain fell in time to save rice crop; other crops benefited.
Upper Godavari	...	September 6	4-79	... Rain fell in time to save rice crop; other crops stationary; prices stationary.
Raigarh	...	September 6	3-68	... Rain fell in time to save rice crop; other crops stationary; prices stationary.
Sambalpur	...	...	2-0	... Rain fell in time to save rice crop; other crops stationary; prices stationary.

10 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 18, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
<b>HIDDLARD ASSURED DISTRICTS.</b>	East Berar ...	September 11 ...	321	September 11	...	Reports of the crops flourishing; fair weather is now wanted; health generally good; fever and ague in some places.
	West Berar ...	September 10 ...	471	"	...	Rain-fall has done much good; prospects favorable.
	Bangalore ...	September 11 ...	13½	"	...	Slight showers; dry and wet crops thriving; several tanks have as yet received no supply of water; November wet crop has therefore been only partial this year; public health good; prices of some of the articles of consumption slightly risen.
	Kolar ...	September 9 ...	23	"	...	Season on the whole favorable; dry crops thriving; sufficient rain has not fallen for extensive cultivation of wet crops; public health tolerably good.
	Toomkoor ...	...	62	"	...	Dry crops reported drooping; wet crops irrigated from channels in good condition; public health good; murrain continues among cattle.
	Mysore ...	...	...	"	...	Rain-fall slight; prices have fallen a little.
	Hasan ...	September 8 ...	74½	"	...	Agricultural prospects continue to improve; dry crops promise fairly, but heavy tank-filling rain still needed, the rain-fall being far below the average.
	Shimoga ...	September 6 ...	84	"	...	Dry crops in maidan (plain) and wet crops in Mulinad (hill) taluqs doing well; public health good; cattle suffer from disease in two taluqs.
	Chituldroog ...	September 6 & 8	.....	"	...	Slight rain throughout the district; crops generally thriving; heavy rain still required; public health good; cattle reported suffering more or less from want of fodder; murrain in two taluqs.

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 18, 1873. 11

Rajputana	Kadur	...	September 8	...	1.11½	"	...	...	Rain general throughout the district, except in two taluqas; crops in tolerably good condition; fodder and drinking water scarce in some parts of three taluqas; public health fair.
	Coorg	...	September 11	...	4.89	"	...	...	
Central India	Indore	...	September 10	...	2.49	September 11	...	...	No report received.
	Gwalior	...	"	...	3.81	"	...	...	Health and crops good.
Burma Burma	Necmoch	...	"	...	13.40	"	...	...	Weather cloudy and cool; health good.
	Butham	...	"	...	7.15	"	...	...	Agricultural prospects continue good.
Nepal	Baghelkund (Sutns)	...	"	...	2.3	"	...	...	Health good; crops in prosperous condition.
	Rangoon	...	.....	September 3	2.2	September 3	...	...	Cholera still at Sohawul.
									Public health good; crops promising.
									Health good; agricultural prospects much the same as reported last week.

A. O. HUME,  
Secretary to the Government of India.

12 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 13, 1873.

GOVERNMENT OF INDIA.  
LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament  
24 & 25 Vic. Cap. 67.

The Council met at Simla on Thursday, the 11th September 1873.

P R E S E N T:

His Excellency the Viceroy and Governor General of India, G. M. S. I., presiding.

His Excellency the Commander-in-Chief, G. C. B., G. C. S. I.

The Hon'ble Sir Richard Temple, K. C. S. I.

The Hon'ble B. H. Ellis.

Major-General the Hon'ble Sir H. W. Norman, K. C. B.

The Hon'ble A. Hobhouse, Q. C.

The Hon'ble E. C. Bayley, C. S. I.

The Hon'ble R. E. Egerton.

His Highness Sarámade Rájáháe Hindástán Ráj Rájendra Srí Mahárájá-dhiráj Sivái Rám Singh Bahádúr, of Jaypúr, G. C. S. I.

INSANE OFFICERS' EFFECTS BILL.

Major-General the Hon'ble Sir H. W. Norman moved that the Report of the Select Committee on the Bill to provide for the security and application of the effects of Officers and Soldiers becoming insane on service, but not removed, put on half-pay, or discharged, be taken into consideration.

The Motion was put and agreed to.

Major-General the Hon'ble Sir H. W. Norman then moved that the Bill as amended be passed.

The Motion was put and agreed to.

PRIVY COUNCIL APPEALS' BILL.

The Hon'ble Mr. Hobhouse presented the further Report of the Select Committee on the Bill to consolidate and amend the law relating to the admission of appeals to Her Majesty in Council from judgments and orders of the Civil Courts. He said that all he had to remark on the subject now was this: The Committee had made or rather proposed to make three alterations in the Bill. They had considered carefully all the suggestions of the Judicial Committee of the Privy Council, and had found that we were not in a position in this country to accelerate the execution of appeals. The alterations they proposed to make in the Bill were these: In the first place, they proposed to make it a condition precedent to an appeal as of right, that the appeal should involve some substantial question of law. Of course that would be a point on which the High Court here would be the judges, and they hoped that the alteration would have some substantial effect.

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 18, 1873. 13

Secondly, they adopted the suggestion made to them by the High Court of Calcutta respecting the stay of execution, and as the draft Bill now stood the stay of execution pending an appeal would be the exception and not the rule. They had provided that on any special cause appearing to the Court in the proper way, the Court might take certain other courses. But all those courses would be special and exceptional, in general the decree would take effect as if there were no appeal. That also, they believed, was the opinion of the High Court, and that such a change of practice would have the effect of stopping a good many appeals which were presented merely for the purpose of delaying the execution of decrees.

The third alteration was this: They found that there was no time limited within which a decree of the Privy Council must be executed. All other decrees were subject to the Statute of Limitation, and it was only reasonable that a decree of this nature should also be subject to the same law. The object of an appeal was not to gain more time within which rights might be enforced, but to get the law and the facts of the case set right; and MR. HOBHOUSE conceived that there would be no objection to bringing the decrees made by Her Majesty's Privy Council within the same rule as the decrees made by the High Court.

The Judicial Committee had requested that, if the Bill was altered on any point on which they had made suggestions, they might see a draft of it; and as the Select Committee had altered it in one point to which the Judicial Committee had referred, the Select Committee proposed that a draft of the Bill should now be returned to England for submission to the Judicial Committee. Meanwhile the Bill would be republished in the *Gazette*.

N. W. PROVINCES REVENUE AND RENT BILLS.

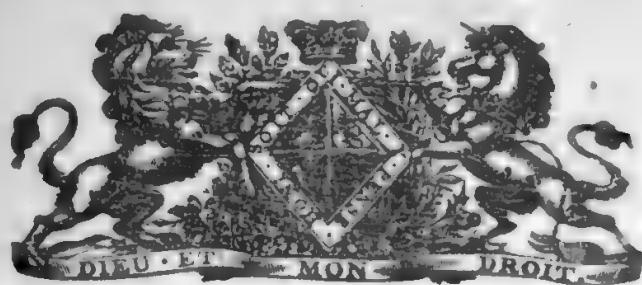
The Hon'ble MR. HOBHOUSE then moved that His Highness the Mahárájá of Jaypúr be added to the Select Committee on the North-Western Provinces Revenue and Rent Bills.

The Motion was put and agreed to.

The Council then adjourned to Thursday, the 18th September 1873.

SIMLA,  
The 11th September 1873.

WHITLEY STOKES,  
Secretary to the Government of India,  
Legislative Department.



EXTRA SUPPLEMENT TO  
The Gazette of India.

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SIMLA, SATURDAY, SEPTEMBER 20, 1873.

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OFFICIAL PAPERS.

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A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

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## GOVERNMENT OF INDIA.

## DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE.

## Reports on the state of the season and prospects of the crops for the week ending the 18th September 1873.

**GENERAL REMARKS.**—In Madras there has been no rain except in the Kistna district; but prospects are generally favourable, except in Kurnool. In Sindh the river continues to fall, and the crops on the outlying canals are suffering from want of water. From Bombay reports are generally good; more rain is said to be wanted in Guzerat for the rice crop, and also in the Southern Mahratta Country. In Bengal rain is much wanted in the rice districts of the Rajshahi Division and in the Patna District; elsewhere prospects are good. In the North-Western Provinces there has been a sufficient fall, and in some places an excess of rain; in the districts north of Ghogra only is a deficiency complained of. There has been a general fall in the Punjab, and prospects are good. From Oudh, the Central Provinces, Central India, and Hyderabad reports are favourable. In Rajpootana the rain-fall has been partial; in Marwar and Bikaneer none has fallen, and the crops are said to be suffering. In Mysore

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
Kistna	...	... September 17 ...	0·35 at Masulipatam.	September 18	...	Little rain during last week; 35 at Masulipatam; six and half feet water over anicut; supply from channels insufficient in some villages; transplanting paddy going on in some parts of the Delta and in Nandigama; cotton and castor seeds sown in upland; standing crops generally fair, failing where no rain; prices generally steady; markets well supplied; pasture fairly sufficient; small-pox, Guinea-worm and fever prevalent in mild form; cattle-disease in six taluqs.
Kurnool	...	... " "	Nil.	"	..."	No rain; distress in Koilkonta; crops failing; markets in Koilkonta, Serwell and Nandial well supplied by adjacent taluqs; prices high and increasing; dengue in Kurnool and Nandikottur; one foot water over Sunkesala anicut.
Negapatam	...	...	" .....	"	..."	No rain at Negapatam; very scanty and partial elsewhere; rain greatly wanted;
Madras	...	...	...	...	...	

**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873.** 3

4 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.		Remarks of Local Government or Administration.	
					Total	25-47	September 18	September 19
<i>Gujarat,—(continued).</i>								
Kaira	...	September 17	...		0.55	"	...	Rain insufficient for rice; other crops good; fever in some places.
Surat	...	...	"		0.69	"	..."	Weather fine; crops and public health good; wheat 12.75 sars.
Brocach	...	...	"		"	"	..."	More rain wanted in Ahmedi and Jumbosur talus; crops flourishing; bajra 17 sars.
<i>Khandesh and Nasik.</i>								
Khandesh	...	...	"		"	"	..."	Rain injured cotton on rich soils; other crops healthy; bajra 19.5 sars.
Nasik	...	...	"		1.0	"	..."	Early crops good, except in Malligam, where they are injured by insects; public health good; rice 9 sars; wheat 12 sars.
Thanna	...	...	"		0.78	"	..."	Crops good; public health good, except in Warra and Sharur talus, where fever prevails; rice 8 to 13 sars; wheat 9.25 to 12 sars; bajra 14 to 16 sars.
<i>Deccan.</i>								
Poona	...	...	"		"	"	..."	Slight rainfall in Mawal taluk; standing khureef crops doing well; sowing of rubhee commenced wherever there is moisture; public health good; bajra 16.49 sars.
Ahmednugger	...	...	"		0.61	"	..."	Khureef crops thriving; sowing of rubhee commenced; bajra 23.8 sars; public health good; slight fever in taluk Jamkheir.
<i>Bombay,—(continued).</i>								
Sholapur	...	...	"		0.35	"	..."	Crops fair; jowari 27.76 sars.
Sattara	...	...	"		0.06	"	..."	Khureef crops continue good; sowing of rubhee commenced in taluk Maisirus; fever and dysentery slightly prevalent in Malwa, and sago in Patta; bajra 21 sars.



6 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
Bengal.—(continued) ...	Bhagulpore ...	September 16 ...	1.52	September 17	... Heavy rain in Banka sub-division; moderate in the north of the Ganges; strong east winds; transplanting of the late paddy completed in Bania; a good area still remains untransplanted in the north of the Ganges and in parts of the Sudder sub-division; on the whole prospects improving; more rain necessary.	Bhagulpore—General health very good everywhere, though fever is prevalent in parts of the Medinipore sub-division. Cuttack and Kamrup—Public health good.
	Cuttack ...	... ***	0.82	... ***	... Jajpore: prospects of crops good; more rain wanted.	General Remarks. Early rice and jute crops are being gathered in; rain is urgently wanted in the rice-growing districts of the Rajmahâ division and in some districts of the other division.
	Kamrup ...	... ***	2.0	... ***	... Weather clear and cool; late rice, tea, cotton, and sugar-cane crops progressing favorably.	
Gorakhpur ...	... ****	1.1	September 18	... Khureef poor from insufficient rain; cholera in the east.		
Benares ...	... *****	0.7 to 2.9	... ***	... Prospects favorable; cholera decreasing.		
Mirzapur ...	... *****	... ...	... ...	... Not received.		
Allahabad ...	... ***	2.0	... ***	... Crops good.		
Banda ...	... ****	3.0 to 11.4	... ***	... Rain most favorable; health good; khureef grain begins to enter the market.		
Humarpur	... *****	... ...	... ...	... Not received.		
Jaloin ...	... *****	1.9 to 3.9	... ***	... Agricultural prospects good; health fair.		
Jhansi ...	... *****	8.2	... ***	... Rain excessive; khureef injured; fever prevalent.		
N. W. Province ...	Cawnpore ...	... ****	3.8	... ***	... Prospects with few exceptions favorable; to the north of Ghaghra deficiency of rain; some districts injured by excess; last fall generally	
	Futteghurh ...	... ...	3.8	... ***	... No more rain wanted; prospects good.	
					... Prospects excellent; no sickness.	

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EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
	Upper Godavari	September 12 ...	0-27	September 18	... Occasional showers; crops promising; prices unchanged.	
	Bilaspur	... September 13 ...	3-45	" " " " "	... Weather cloudy; thunder-storm on the 12th; prospects considerably better; grain cheaper; no epidemic.	
	Sumbulpur	... " " " "	1-28	" " " " "	Prospects favorable; three cases of cholera; prices steady.	
	Wardah	... September 17 ...	1-10	" " " " "	Prospects of crops excellent; dengue at Ahati.	
	Narsingpoor	... " " " "	7-0	" " " " "	Prospects excellent; prices rising.	
	Bhandara	... September 14 ...	2-12	" " " " "	Weather cloudy; transplanting rice progressing; millet thriving; prospects good; grain abundant and cheap; health good.	
	Nimar	... September 17 ...	1-22	" " " " "	Prospects favorable; prices slightly fallen.	
CENTRAL PROVINCES.— (continued).	Nagpoor	... " " " "	2-76	" " " " "	Weather cloudy; prospects generally fair; prices slightly fallen; health good.	
	Hoshangabad	... " " " "	8-60	" " " " "	Nerbudda full; weather clearing; prospects good.	
	Baitool	... " " " "	2-0	" " " " "	Prospects promising.	
	Seoni	... " " " "	5-06	" " " " "	Prospects good; no-epidemic.	
	Jubbulpore	... " " " "	5-13	" " " " "		
	Damoh	... " " " "	8-96	" " " " "	Prospects good; two cases of cholera at Jubbulpore.	
	Mandla	... " " " "	3-40	" " " " "		
	Saugor	... " " " "	9-4	" " " " "	Prospects good; district healthy.	

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873. 9

HYDERABAD DISTRICTS.	ASSIGNED	East Berar ...		0·84	September 18	... Weather favorable, and reports of crops excellent.
		September 17	... 0·57			
West Berar ...	...	September 18	... 0·10	September 19	... Very little rain; crops both wet and dry beginning to appear parched; a heavy shower of rain however fell last night, and there is indication of more; public health good; slight fluctuation in prices of articles of consumption.	
Bangalore ...	...					
Kolar	...	September 16	... Nil.	"	... No rain; prospect of crops much the same as in last report; public health generally good.	
Toomkoor	...		... "	"	... No rain; dry crops withering, and wet cultivation at a standstill except in three taluqs, where crops are watered by picotahs; public health good; want of water for drinking purposes much felt in many taluqs.	
Mysore	...	September 16	... Nil.	"	... No rain; heat oppressive; prices rising slightly; crops withering; difficulties experienced in town for water.	
Hassan	...		... "	"	... Dry crops in part of two taluqs not thriving; in one talug injured by insects; prospects in another reported discouraging; crops in remaining taluqs reported promising; palmy flourishing in four taluqs; public health good.	
Shimoga	...	September 13	... 0·9	"	... Wet crops in plain taluqs suffering for want of rain; dry and wet crops doing well in hill taluqs, with the exception of aera-nut, which is still suffering from disease; public health generally good; cattle suffer from disease in two taluqs; prices of all articles on the increase; scarcity of water for drinking much felt.	
Chitradroog	...		... 0·3	"	... Crops in some parts withering; in others thriving; in one talug crops withering both in dry and wet lands; public health good; cattle suffering more or less from want of fodder.	

10 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1878.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
						General Remarks.
<b>Mysoor AND Coorg.—continued.</b>	Kadur	... September 15 ...	.....	September 19	...	During the past week, the rain has generally held off, but there was a heavy fall last night; every appearance of more; better reports are therefore anticipated next week.
	Coorg	... September 18 ...	1·77	"	...	Transplanting of rice and coffee plants completed; prospects of crops generally good.
	Hartree States	...	Rethah 4·00 Tonk 1·90 Deolee 4·00 Shalibpoora 3·00	.....	Tanks and wells full; a great deal of the khureef crop has been lost; late rains are favorable to the rubhee crops; health good.	
	Ulwar	... September 11 ...	3·32	September 18	...	Tanks and wells full; the much wanted rainfall has greatly improved agricultural prospects; health good.
	Ajmere and Mhatiwarra	... ..	.....	"	...	Rain holding off; locusts passed over; prices of grain higher; health good; prospects satisfactory.
	Jeypore	... ..	.....	"	...	Several showers during week, favorable for coming rubhee harvest; public health good.
	Seroli	... September 15 ...	.....	"	...	More rain urgently required to mature crops; health very good.
	Meywar	... September 13 ...	3·00 during fortnight:	"	...	Tanks full, except Rajnuggur and Oderypore lakes; more rain wanted throughout; average harvest expected.
	Kherwara	... September 7 ...	2·11	"	...	Crops promise well; health good.
	Marwar	...	.....	"	...	No rain has fallen for some time, and the crops in both Marwar and Mullanee are suffering in consequence; weather sultry; health good.

**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873. 11**

<b>CENTRAL INDIA</b>	Bikaner	...	...	.....	.....	.....	.....	.....	.....	.....	.....	.....
	Indore	...	...	September 17	...	1.46	...	...	...	...	...	...
	Gwalior	...	...	"	...	8.46	"	"	"	"	"	"
	Neemuch	...	...	"	...	Nil.	"	"	"	"	"	"
	Rutlam	...	...	"	...	51	"	"	"	"	"	"
	Beghelliund (Satna)	...	...	"	...	2.9	.....	.....	.....	.....	.....	.....
	Bunyoon	...	...	.....	.....	September 16	...	...	...	...	...	...
	NEPAL	...	Katmandoo	...	.....	0.45	September 10	...	...	...	...	...

Crops have suffered considerably for want of rain, and severe loss anticipated if it holds off for next fortnight; fever prevalent in city and pergunnah Soojangurh; weather hot; pasture dried.

Weather cleared; prospects favorable if weather remains open; extensive floods from heavy rains; health good.

Crops thriving; health good.

Weather good; crops nearly ripe.

Cholera in a mild form at Sohawur still.

Public health good; crops favorable.

Health good; Gyah rice nearly ripe and promises an average crop; autumn rice will be about one-third short; buck wheat and kodar fair.

A. O. HUME,

*Secretary to the Government of India.*

GOVERNMENT OF INDIA.

LEGISLATIVE DEPARTMENT.

Abstract of the Proceedings of the Council of the Governor General of India, assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament 24 & 25 Vic. Cap. 67.

The Council met at Simla on Thursday, the 11th September 1873.

P R E S E N T :

His Excellency the Viceroy and Governor General of India, G. M. S. I.,  
*presiding.*

His Excellency the Commander-in-Chief, G. C. B., G. C. S. I.

The Hon'ble Sir Richard Temple, K. C. S. I.

The Hon'ble B. H. Ellis.

Major-General the Hon'ble Sir H. W. Norman, K. C. B.

The Hon'ble A. Hobhouse, Q. C.

The Hon'ble E. C. Bayley, C. S. I.

The Hon'ble R. E. Egerton.

The Hon'ble J. F. D. Inglis, C. S. I.

His Highness Sarámáde Rájáháe Hindústán Ráj Rájendra Srí Mahárájá-dhiráj Sivái Rám Sing Bahádur, of Jaypur, G. C. S. I.

NAWÁB NÁZIM'S DEBTS BILL.

The Hon'ble Mr. Hobhouse in moving for leave to introduce a Bill to provide for the liquidation of the debts of His Highness the Nawáb Názim of Bengal, and for his protection against legal process, said :— “This is one of those somewhat abnormal measures which the Government of India is from time to time called upon to pass, by reason of their peculiar relations with some of the old and dignified Indian families. There are, as is well known, several families now existing, whose ancestors were at the time of the growth of the British power possessed by one title or another of some degree of sovereignty. By dint of internal dissensions, of wars, treaties, and other political changes, the power of the families I am speaking of has passed to the British Government, but it has been thought wise and right to maintain the families themselves in a position of dignity and affluence. This object has been effected not by an out and out gift of so much property, which the existing generation might get rid of, but by allotting to each generation in turn discretionary grants out of the public revenue, of such amount and nature as have appeared to the Government to be required for its adequate maintenance. Such grants are of course very different in amount, and are made subject to very different conditions. They have, however, usually been made to each recipient for the term of his life, so that he may know what his own position is, but are subject to revision or to cesser on death.

“This policy has doubtless been wise and is attended with many advantages ; but there is one serious drawback to it. It has been found that persons supported in this way have a strong tendency to be exceedingly careless in money matters. They have usually been bred up in idleness ; they rarely take to any serious occupation ; the remembrance of the family dignity forbids their entry into the ranks and the business of ordinary society ; their amusements are expensive ; they are not compelled to provide for their families ; and even for themselves they feel confident of protection and ample maintenance in the last resort. In short, they have not the ordinary motives which induce us to lead regular, industrious and prudent lives ; and those who can rise above ordinary motives, who can resist ordinary temptations, who can live up to a high standard, because it is right and because they take a lofty view of what constitutes human happiness,—such men we must always expect to be few in number.

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 20, 1873. 18

"In the case of the Nawáb Názim, these remarks will be found to receive a full exemplification. I do not desire to say an unnecessary word which may inflict pain on the Nawáb Názim or his family; but I must do my duty, and my duty is to make it plain to the Council how it comes about that such a measure as this, which is not an ordinary one, is yet a necessary and proper one.

"The present Nawáb Názim succeeded his father in the title in the year 1838; he was then a mere child, and he did not come of age till ten years afterwards. In the year 1848 he attained his majority and entered upon possession of his property and of the income attached to the Nizamut. What his patrimony may have been worth I cannot say; but attached to the Nizamut there was a considerable quantity of land, and also an allowance from the public revenues amounting to about seven lakhs of rupees by the year. Now, I believe, it is the case with most noblemen of this country that along with the family estate they take the burden of supporting collateral branches of the family and a number of dependants and retainers. This burden fell and falls on the Nawáb Názim only to a limited extent, for large sums are disbursed every year from the Treasury for the purpose of answering such obligations in the case of his family. He is in great measure saved even from the ordinary expenses of a private person who is married and has children. Money has been granted from time to time for the benefit of his children, buildings have been erected, and are now kept in repair free of cost to him. I am confident that I speak without much exaggeration, if with any, when I say that the large sum of seven lakhs a year has been his to spend, without the drawback of those moral and social obligations which narrow the incomes of most Indian noblemen, and relieved even from much of the ordinary burden of providing for sons and daughters.

"Such being his means, I am sorry to say that the Nawáb Názim has at least for some years past pursued a career of most lamentable extravagance; his great income has proved quite unequal to his personal expenditure; he has borrowed recklessly and often at the most exorbitant rates of interest; and has in short shewn such weakness, such a want of self-restraint, that we may fairly pronounce him unfit to manage the affairs of the Nizamut. On the character of his expenditure I do not dwell; what I am about to say of its results is quite sufficient. In the month of February 1871, his debts were ascertained by the Agent at Murshidabad to amount to upwards of twenty-three lakhs of rupees; they are now estimated at upwards of thirty lakhs. Most of this is carrying ruinous rates of interest. Actions have been brought by creditors and attachments have been issued against the property of their debtor. He himself is in England; his affairs, so far as they are looked after at all, are looked after by two of his sons, each of whom claims certain rights and powers under instruments executed by his father. In the meantime the interest on the debts is running on at a rapid rate. The result is a most distressing, and, indeed, a most scandalous state of things, which is drifting into greater and greater confusion every day.

"Now, doubtless the easiest course for the Government in such a case would be to fold its hands and to let prodigality and self-indulgence bear their proper fruits. But there are several reasons why the Government should not take this course. One reason lies on the surface, namely, the compassion which such a case excites, and which prompts us to stand between a man in such unhappy circumstances and his utter ruin. But there are other reasons of a more prudential character. For, in the first place, what is the object for which we charge the public funds with large sums payable to persons in the position of the Murshidabad family? It is in order to preserve the dignity and honour of an exalted Indian family, and that the public sentiment may not be hurt by the spectacle of their fall into utter poverty. But such an object would be frustrated if the head of the family were subjected to all the legal consequences of pecuniary embarrassment. Another reason is that, as I will presently explain, the Government itself is getting involved in the litigation. There is property not belonging to the Nawáb Názim personally, though the Nawáb Názim for the time being has had the possession and enjoyment of it; but which is designed for the maintenance of the title and dignity, and so for the benefit of future generations of the

family. Of this property there is certainly no protector ; I suppose there is no legal owner except the Government. The creditors, perhaps naturally enough, have not distinguished between property which belongs to the Nawáb Názim personally and absolutely, and that which he only possesses and enjoys along with the title ; they seek to enforce their decrees against both indiscriminately ; and for the sake of the family and the public, the Government is obliged to protect the property thus erroneously attacked. Again, there is the chance that if affairs are left to drift of themselves, the Indian tax-payers will ultimately be the sufferers. The reasons for supporting this family which have actuated the Government hitherto are not likely to be abruptly abandoned ; they will continue to operate for some time to come ; and yet if the head of the family is allowed to squander the funds which should be available for all, where is the support to come from except by fresh draughts upon the public purse ? It is therefore for the interest of the Nawáb Názim himself, of his family (present and future), and of the public at large, that the Legislature should provide some special remedy for the case, and should not leave it to the ordinary course of law.

" If then we interpose, how shall we do it ? We must operate by some kind of commission of bankruptcy ; by a suspension of the ordinary processes of law, and the establishment of a tribunal with plenary powers to settle with each creditor the amount which he ought in honesty to receive. Whatever is so proved as receivable, the Government must pay. For the future it will be important to prevent the Nawáb Názim from incurring fresh pecuniary liabilities, as has been done in the case of the King of Oudh, and as we are proposing to do with the future head of the Carnatic family. I may also mention that arrangements on the other principles I have just propounded were contemplated in the case of the King of Oudh, but it never became necessary actually to pass a law for the purpose, because his creditors found it for their advantage to make moderate compromises of their claims, and did so while the measure was pending ; fifty lakhs of claims being settled for eight of hard cash.

" Now, I must expect that on such a proposal as this two important questions will be asked ; first, whether it will not be unjust to the existing creditors of the Nawáb Názim ; and secondly, whether it is right that the Indian tax-payers should be mulcted to pay for the extravagance of a reckless spendthrift. I think I can answer both these questions in a satisfactory way, but in order to do so I must briefly refer to the former history of the family and its possessions.

" In the year 1765, when the Mogul Emperor, Shah Alum, granted to the East India Company the *dewáni* of Bengal, Behar and Orissa, his *fírmán* contained a stipulation that the Company should provide for the expenses of the Nizamut. By the Nizamut of course was meant not this family but the important executive duties of the office. The Company on their part maintained Meer Jaffir and his descendants, the ancestors of the present Nawáb Názim, in the *subadári* of the provinces ; and so long as any duties of the *subadári* or Nizamut remained to be performed by them the stipulated provision was duly made. This was done by different arrangements made with different incumbents of the office ; the amount provided for expenses lessening as the duties falling on the British Government became heavier and those of the Nawáb Názim less heavy. In progress of time the whole of these duties were undertaken by the British Government and all the necessary expenses with them. The bargain made with Shah Alum then expired, for there were no expenses of the Nizamut to be provided for, and the Nawáb Názim became a mere titular dignitary. It was thought right, however, to show great consideration to the house of Meer Jaffir, though it had no longer any State duties to perform. Accordingly they were continued in possession of the high title which the head of the family still enjoys, and personal provisions were made for the support both of the head and other members of the family. In the year 1770 it was considered that the sum of sixteen lakhs annually was a proper sum to allow out of the public revenues for the maintenance of the family and its dependants, and for defraying the expenses incident to the high social position of the Nawáb Názim. But the amount of that allowance and mode in which it should be applied have always been within the discretion of the British

Government. Arrangements have been made from time to time and carefully adhered to for certain payments to ascertained individuals or for specific purposes, and it is under one of these arrangements that the Nawáb Názim receives his seven lakhs per annum; but no one has any legal right to the fund or to any portion of it until actually made over to him. The total amount of grant held available for the family has never been diminished since the year 1770, but the amount actually expended has varied considerably from time to time; sometimes the whole has been spent, sometimes more; but in ordinary times there has been a surplus not immediately required for any purpose. Previously to the year 1834, a specific portion of the surplus which accrued from the dropping of some expired pensions was invested and made to bear interest. But with this exception the practice has been simply to consider the unexpended surplus as a reserve fund available for emergencies, for extraordinary grants, and ultimately for a permanent provision for the family in relief of the annual grant now made from the public revenues.

"To give the Council a more exact idea of the position of this reserve, which has gone under various names, and is now generally called the Nizamut Fund, though with the exception I have mentioned it hardly is a fund, it will be better that I should not use my own language but should refer to authentic documents of State. I quote from a letter dated the 14th January 1862, and addressed by the Government of India to that of Bengal:—

"9. At the same time it should be clearly explained to His Highness that the Governor General in Council entirely rejects his claims so far as they are founded on the assertion of any treaty rights or of any sovereign or hereditary title, and that his recognized position in regard to the sum of sixteen lakhs of sicca rupees, now annually set apart for Nizamut purposes, and to the accumulations thereof, is as follows:—

1st.—Since 1771, sixteen lakhs of rupees have been granted for Nizamut purposes. The continued payment of this sum is guaranteed by no treaty, and it has hitherto been paid of the free grace and favour of the British Government. It may cease, or may be diminished, whenever the Government shall so determine, but there is no intention of making any change in the present arrangement during the life-time of the present Nawáb.

2nd.—Though there is no guarantee for the continuance of the above payment in whole or in part, yet certain pensions now charged upon it were declared by Lord Cornwallis in 1790 to be, and are, therefore, hereditary.

3rd.—Out of the above-mentioned sum of sixteen lakhs, somewhat less than seven lakhs of sicca rupees a year are now paid to the Nawáb for his own purposes. This money is at the Nawáb's disposal without control, unless he falls into debt, in which case the Government may step in and take the management of it. Any pension granted out of this annual sum reverts to the Nawáb on its discontinuance. This arrangement, however, is only for the life-time of the present Nawáb, and will be re-considered at his death.

4th.—The rest of the sixteen lakhs, after deducting the amount paid to the Nawáb, is carried to the credit of the Deposit Fund.

5th.—Everything once paid into the Deposit Fund is held at the disposal of the Government as a means of providing for the collateral branches of the Nizamut family (exclusive of the Rájmahal branch), and for other purposes connected with the Nizamut."

"I will read another passage from a Despatch by the Secretary of State to the Government of India, dated the 17th June 1864:—

"It appears that the personal allowance of the Nawáb Názim himself is about seven lakhs of rupees; that from the remaining nine lakhs provision is made for other members of the family, and that the balance goes to the formation of an accumulating fund, known as the 'Nizamut Deposit Fund.' It is unnecessary to trace further the history of this fund. Its accumulations, representing as they do the unappropriated portions from year to year of the sixteen lakhs stipend, unquestionably belong to the Názim and his family, and can properly be expended only for their benefit. But this does not confer upon the Názim himself any right to dispose or to superintend the disposal of these balances. This right belongs to the Government, under the conditions upon which the fund was constituted. It was assumed, in the first instance, mainly for the benefit and protection of the Názim and his family; and I am of opinion that it is to the advantage of His Highness and his family that this system should be maintained."

"Those are the principles on which the reserve is administered; from time to time it is drawn upon for the benefit of members of the family; at the

death of a Nawáb Názim it is largely drawn upon, but usually a surplus remains, and the whole now amounts to a very large sum of money.

"Now, besides the income of seven lakhs or thereabouts, there is, as I mentioned before, other property of which the Nawáb Názim has the enjoyment and possession, but not (as I believe though it is disputed) any ownership, or at all events not any ownership beyond his tenure of the dignity. This property consists of land which from time immemorial, at least from Meer Jaffir's time downwards, has been enjoyed by the Nawáb Názim for the time being as an appanage to, or incident of, the dignity ; of some family jewels in the same category with the land ; and of houses which have been built and kept in repair at the expense of the Nizamut Fund, certainly not in order that their value might be squandered by the head of the family for the time being, but in order that they might be a permanent addition to the family residence. Beyond the properties that I have mentioned, the resources of the Nawáb Názim must be very slender in comparison with the magnitude of the claims against him. All the private landed property which he possessed has long since been sold. He has some jewels of what value we do not know, but it is difficult to believe that they will go far in meeting thirty lakhs of debt rapidly increasing in amount. Indeed we are safe in saying that if the value of all conceivable interest which the Nawáb Názim may have in the lands and houses enjoyed with the dignity, were added to that of his own jewels, the aggregate would go but a little way to satisfy the enormous claims subsisting against him. But this is all that his creditors have to rely on. In the Nizamut Fund he has no assignable interest whatever, and indeed he has been plainly told that it must not be considered as a resource for his creditors. As for his income out of the sixteen lakhs, it is liable at any moment to be resumed into the hands of Government from the very circumstance that he has run into debt, and again he has been plainly warned of this liability.

"From the foregoing statement the Council will already have gathered easily enough how I answer the two questions which I have supposed to be put to me. As regards the creditors, they have very slender resources to rely on, and they probably will not reach, even those without the expense and delay of litigation. They will, therefore, be better off in the prospect of a speedy settlement with those who can pay them in hard cash sums, which however much less than their claims, will probably be very remunerative to them, than by fighting over the relics of the Nawáb Názim's fortune and getting only a small dividend at last. As regards the public, the Government no doubt will pay the debts, but they will charge all expenditure on this account against the reserve or Nizamut Fund, which must be recouped by a competent deduction from the Nawáb Názim's income during his life. They will gain by the Government entering upon the management of this income, for which the time has fully arrived. And they will be protected from the risk of future encroachments by the disability under which the Nawáb Názim will labour of incurring fresh debts, a disability which I admit is dishonourable to him, but which has become necessary for the public welfare.

"I trust the Council will think that I have assigned sufficient reasons for the measure which I ask leave to introduce."

The Motion was put and agreed to.

#### ADMINISTRATOR GENERAL'S ACT AMENDMENT BILL.

The Hon'ble Mr. Hobhouse moved that the Bill to amend Act XXIV of 1867 (the Administrator General's Act) be referred back to the Select Committee, and that the Hon'ble Mr. Bayley be added thereto.

The Motion was put and agreed to.

The Council then adjourned to Thursday, the 2nd October 1873.

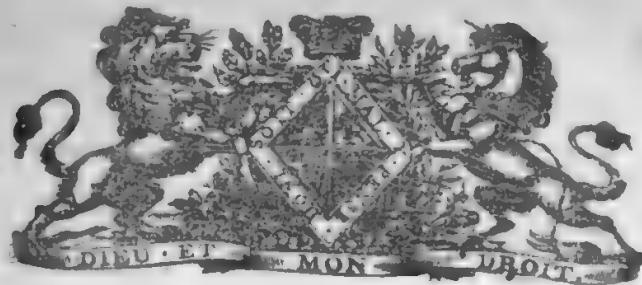
SIMLA,

The 18th September 1873.

WHITLEY STOKES,

Secretary to the Government of India,

Legislative Department.



EXTRA SUPPLEMENT TO  
The Gazette of India.

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SIMLA, SATURDAY, SEPTEMBER 27, 1873.

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OFFICIAL PAPERS.

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GOVERNMENT OF INDIA.  
DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE.

Report on the state of the season and prospects of the crops for the week ending the 25th September 1873.

**GENERAL REMARKS.**—There are signs of the end of the monsoon in Northern India; in the South, however, the rain-fall continues. Prospects in Madras are generally good, except in the Kistna District, where the rain has been insufficient. In Sindh the river is still low, and want of water on outlying canals is complained of; but a sudden rise on the 22nd is reported from Shikarpur. In Gujarat there has been little rain, but the crops are good. Throughout the Deccan Districts and Khandesh the rain-fall has been favourable, and the crops are promising: from the Southern Mahratta Country reports are better, except from Dharwar. Rain has been general throughout the Central Provinces, and prospects are good. In Bengal the fall has been scanty, and more is urgently wanted for the late rice crop. In the North-Western Provinces there have been floods and heavy rain in the Western Districts, while insufficiency of rain is said to have injured the rice in the Benares Division. Dry weather appears to have now set in. In Oudh and the Punjab there has been no rain; prospects are favourable. In Berar the fall has been sufficient, and prospects are good. In Mysore there has been a good fall, and reports are more favourable. The reports received from Rajputana show no rain to have fallen; famine is apprehended in Bilkaner.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.	
Kistna	...	September 24	... at Masulipatam. 10 to 20 elsewhere.	September 25	...	No rain at Sattanpolli or Vinukonda; four feet water over Anicut; canals supply insufficient; some tanks received slight supplies; transplanting paddy going on in Bezwada, Repalli; dry paddy, jowari and cotton being sown elsewhere; standing crops fair; only one-third of the ordinary cultivation of the District undertaken; markets well supplied; prices tending to rise; pasture barely sufficient; scarce in Bapatla and Vinukonda; small-pox prevalent; fever and guinea-worm in some taluks; no cattle disease in three taluks; slight elsewhere.	
Kurnool	...	...	...	284 in four days in Kurnool.	"	Rainfall partial in most taluks; standing crops recovering; season slightly improving in Kolkonda and Serwell; prices continue high; dengue in Kurnool and Naudikotter; fever in Nandial; one foot two inches water over Sunkeals Anicut.	...
MADRAS	...						

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					General prospects tolerably satisfactory.
Negapatam ...	... 2.06	"	... at Negapatam.	... 2.06	Rainfall tolerably good elsewhere; more rain wanted; fishes in rivers; supply to tanks moderate; cultivation progressing; standing crops benefitted by later rain; in some parts not thriving; some dry crops harvested; outturn below the average; markets well supplied; prices tending to rise; pasture insufficient; small-pox in some parts; cattle healthy.
Trichinopoly ...	... 2.06	"	... 2.06	... 2.06	Rain general; water-supply sufficient, except in dry villages, where condition of crops is not good; outturn in three taluks below the average; markets well supplied; prices steady; pasture scanty in dry villages; health good, but for small-pox and fever in Trichinopoly; condition of cattle good.
Calicut	... 2.06	"	... 2.06	... 2.06	Outturn of first crop and growth of second unsatisfactory owing to unseasonable rain; prices falling; pasture good; small-pox and fever slightly prevalent; cattle healthy.
Sisadh.	... 2.06	"	... 2.06	... 2.06	
Kurrachee	... 2.06	"	September 24 ...	September 25	River at Kotree on 22nd instant 11 feet 2 inches; lower than last year by 11 inches; want of water much felt everywhere; crops suffering; several canals dry; rats doing damage in southern taluks; wheat 10-26 sars; rice 7-46 sars.
Hyderabad ...	... 2.06	"	... 2.06	... 2.06	Indus 11 feet; crops suffering from want of water, except those, including cotton, on sufficiently irrigated land; weather seasonable; ploughing for rubbe commenced; people and cattle healthy.
Shikarpur ...	... 2.06	"	... 2.06	... 2.06	Complaints of insufficiency of water numerous; but river rose 4 feet on 22nd instant, which should save the crops; prices of grain fallen in consequence; heavy dews at night; fever very prevalent.
BOMBAY ...	... 2.06	"	... 2.06	... 2.06	Rubbe ploughing commenced; fever and cough prevalent; wheat 16-8 sars.
Upper Frontier	... 2.06	"	... 2.06	... 2.06	

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.		Remarks of Local Government or Administration.
	<i>Gujarat.</i>						
Ahmedabad ...	... September 24 ...		0-17	September 25	...	Crops doing well; fever and dysentery decreasing.	
Kaira	... ***	"	***	"	***	Crops good, except rice, for which rain was insufficient; weather and public health good.	
Surat	... ***	"	***	"	***	Weather sultry; crops and public health good; wheat 13 sars.	
Brocach	... ***	"	***	"	***	Rain wanted; heavy flood damaged crops on the banks of the Nurbudda; fever continues; bajra 17 sars.	
<i>Khandesh and Nasik.</i>							
Khandesh ...	... September 24 ...		1-80	September 25 at Dhulia.	...	Cotton promising; fever prevalent; bajra about 21 sars.	
Nasik	... ***	"	1-53	"	***	Early crops good, except in Malignum, where insects continue to do damage; sowing of late crops commenced; public health good; rice 9 and wheat 13 sars.	
Thansa	... ***	"	1-45	"	***	Crops thriving; public health good, except in Warr and Sharur taluqs, where fever continues; prices of grain unchanged.	
<i>Deccan.</i>							
Poona	... September 24 ...		8-5	September 25	...	Rain-fall general throughout the district; khureef crops and public health good; sowing of rubree crops commenced; bajra 16-42 sars.	
Ahmednugger	... "		1-59	"	***	Khureef and cotton crops good; sowing of rubree crops progressing; public health good, except in taluk Jamkheir, where slight fever continues; bajra 23-8 sars.	
<i>Bombay,—(continued) ...</i>							

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Sholapur	...	...	2.20	"	...	...	...	Rain-fall general throughout the district ; kharif crops promising ; rubree sowing progressing ; jowari 27.76 sars.
Sattara	...	...	"	"	1.62	"	...	Kharif crops generally good ; sowing of rubree progressing in Malsirur ; fever and dysentery in Malwa, and ague in Pottan ; bajra 21 sars.
<i>Southern Mahratta Country</i>		September 24	...	1.67	September 25	...	...	Crops progressing well, except in Gokak, where rain is still wanted ; jowari 17 sars.
Belgaum	...	...	"	"	"	...	...	Rice crops in Hangal, Kaledhatgi and Kodi withering for want of rain ; early crops middling ; cotton sowing in progress ; great scarcity of drinking water ; jowari 15.8 sars.
Dharwar	...	...	"	"	"	...	...	Rain-fall good ; crops fair ; fever, dysentery, small-pox, and cattle disease prevail slightly.
Canara	...	...	"	"	"	...	...	
<i>Kattiawar and Gaikwar's Territory.</i>		September 24	...	0.05	September 25	...	...	Crops very good ; bajra 23.25 sars.
Rajkote	...	...	"	"	"	...	...	All crops good ; fever continues ; bajra 17 sars.
Wudwan	...	...	"	"	"	...	...	Crops and public health good ; bajra 13 sars.
Baroda	...	...	"	"	"	...	...	
Burdwan	...	...	September 23	...	September 24	...	...	Weather hot with slight rain, crops doing well, but require more rain.
<i>Twenty-four Pergunnahs.</i>		0.68	"	0.13	"	...	...	Burdwan.—Public health <sup>as</sup> before ; fever worse.
Bengal	...	...	"	"	"	...	...	Twenty-four Pergunnahs.—Fever as usual at this season of the year.
Decca	...	...	"	"	0.22	...	...	Weather hot with almost no rain ; rivers falling very fast ; crops will suffer if there is no more rain.

6 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1873.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.	Remarks of Local Government or Administration.
BENGAL.—(continued.)	Patna	... September 23	0'10 ...	September 24	...	Patna.—General health good, but a few scattered cases of cholera are still reported.
	Bhagalpur	... "	0'30 ..."	"	...	Bhagalpur—General health very good; fever not increasing in Bhagalpur Sub-division.
	Cuttack	... "	•38 ..."	"	...	Cuttack—Public health fair.
	Kamrup	... "	•50 ..."	"	...	Kamrup—Public health good.
	Gorakhpur	...	.....	September 25	...	General Remarks. Rain is urgently required in most districts; early rice and jute are being reaped in several districts; the state and prospects of the late or winter rice crops are not favorable in nearly half the number of districts, for want of timely and sufficient rain, especially in the rice-growing districts of the Rajmahal Division; slight distress is reported in a few villages in the north of the Moorshedabad district; employment will be given locally to relieve it.
	Benares	... .....	.....	"	...	Late rice has suffered very much; prices rising, cholera in east decreasing.
	Mirzapur	... .....	7'0 to 2'2 .....	"	...	More rain wanted for rice and for rubree sowing.
	Allahabad	... .....	.....	"	...	Crops will suffer in hilly parts of district if rain does not return; great flood in Ganges; prices dear.
	Banda	... .....	.....	"	...	Upland crops good; lowland crops injured by Ganges flood.
	Humeerpoor	... .....	5'0 to 5'3 .....	"	...	No report received.
N.W. Provinces	Jaloua	... .....	2'0 to 4'5 .....	"	...	Crops fairly good; prices unchanged.
	Jhansi	... .....	2'0 .....	"	...	Prospects good; dengue and fever prevalent.
	...	...	...	"	...	Khareef pretty good; relief operations continue.

EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1873. 7

Cawnpore	...	8-0	"	... .....	Prospects of harvest good ; health fair.
Futtehguri	...	7-0	"	... .....	Prospects very good ; prices unchanged.
Agra	...	...	"	... .....	Prospects much improved.
Muttra	...	...	"	... .....	Not received.
Allygurh	...	...	"	... .....	Heavy rain has flooded district ; some loss of life; crops not much injured.
Meerut	...	...	"	... .....	Prospects good.
Saharanpoor	...	...	"	... .....	Prospects continue good ; no sickness.
Bijnor	...	...	"	... .....	Heavy rain, but little harm done ; crops good.
Moradabad	...	...	"	... .....	More rain wanted ; rice poor ; sugar-cane fine ; grain being sown ; health improved.
Bareilly	...	...	"	... .....	All crops excellent except rice ; health good.
Julundhur	...	...	"	... .....	No rain ; crops and health good.
Rawal Pindas	...	...	"	... .....	State of crops good ; fever prevalent.
Lahore	...	...	"	... .....	No rain ; harvest prospects good ; health improving.
Umballa	...	...	"	... .....	No rain ; crops and health good.
Dera Ghazee Khan	...	...	"	... .....	Prospects of harvest favorable. Not rain required ; fever prevalent at Dera Ghazee Khan.
Bannoo	...	...	"	... .....	Agricultural prospects favorable ; health good, but fever prevalent here and there.
Dera Ismail Khan	...	...	"	... .....	Health at present good.
Delhi	...	...	"	... .....	No rain ; crops well grown ; health good.
Peshawar	...	...	"	... .....	Agricultural prospects favorable ; ordinary autumnal fever, but not bad.
Mooltan	...	...	"	... .....	No rain ; kharif prospects not favorable in tahsil Lodhran and Myali ; preparations for ensuing rubree in progress ; Chenab has risen ; sufficient water in canals for irrigation of indigo and sugar-cane crops ; fever decreasing ; weather pleasant.
Punjab		...	"	... .....	
Nil.	0-10	"	"	... .....	
Nil.	"	"	"	... .....	

8 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1873.

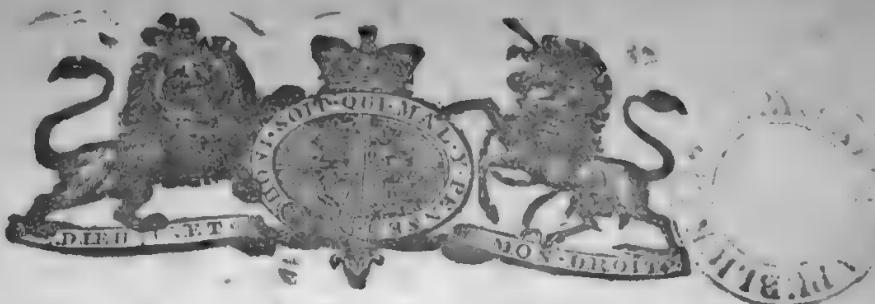
**EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1873.**

Bhadravati	... 0-67	September 22 ...	... 0-67	September 20 ...	1-17	"	..."	... Weather clear ; rice transplanting completed ; millet thriving ; prospects favorable ; no epidemic ; food cheap.
Chindwara	... 0-67	September 20 ...	... 0-67	September 24 ...	0-49	September 25	..."	... Weather clear ; prospects favorable ; no epidemic.
Hyderabad Districts.	East Berar ...	..."	..."	September 24 ...	0-16	"	..."	Prospects very good.
	West Berar ...	..."	..."	September 25 ... in Cantonment.	3-97	September 25	..."	Prospects of khareef crops good ; preparations for the rubbe crop in progress ; rain quite sufficient for all purposes.
Bangalore	... 0-67	September 25 ... in Cantonment.	... 0-67	September 23 ...	0-90	"	..."	Rain also fell in all taluqs of district ; crops thriving ; public health good ; slight increase in prices of some articles of consumption.
Kolar	... 0-67	September 23 ...	... 0-67	Toomkoor	2-36	"	..."	Dry crops looking well ; tanks being supplied with water from the late rain.
Toomkoor	... 0-67	September 23 ...	... 0-67	Mysore	3-83	"	..."	Dry crops which were drooping last week beginning to revive in all taluqs, excepting in a few villages where no rain fell ; public health good.
Mysore	... 0-67	September 23 ...	... 0-67	Hassan	2-76	"	..."	Very favorable for crops ; prices have risen.
Hassan	... 0-67	September 23 ...	... 0-67	Shimoga	3-55	"	..."	Prospects of crops up to 27th instant not very encouraging ; ragi harvested in three talus ; paddy crops in parts of two talus withered ; two taluqs suffer for want of rain ; while all crops reported drooping in three taluqs as well as dry crops in two taluqs ; these reports are from Amildara, all dated 17th instant, but more recent reports it is expected will be more favorable, as much rain is supposed to have since fallen ; paddy crops in Mulnud or hill taluqs good ; public health good.
Tiruvannamalai and Coonoor	... 0-67	September 20 ...	... 0-67	Shimoga	3-55	"	..."	Crops in maidan (plain) taluq dropping ; want of rain much felt ; tanks have received no supply yet ; crops in Mulnud (hill) taluq doing well ; arecanut suffering from disease in some parts ; public health generally good ; cattle suffering from disease in Mulnud ; prices of good grain slightly risen.

10 EXTRA SUPPLEMENT TO THE GAZETTE OF INDIA, SEPTEMBER 27, 1875.

Presidency or Province.	District.	Date of District Report.	Rain-fall for week preceding.	Date of Report from Local Government or Administration.	State of agricultural prospects.		Remarks of Local Government or Administration.
					September 20	September 25	
<b>MYSORE AND COORG, (continued.)</b>	Chitradroog ...	... September 20 ...	2.40	September 25	...	...	Crops in some parts reported in good condition, in others failing for want of rain; in two talus young crops infested with insects; public health good; murrain in soar talus; want of fodder much felt.
	Kudur ...	... September 22 ...	614	"	...	...	Crops in tolerably good condition; cattle disease prevailing in some parts of two talus; public health unfavorable.
	Ceorg ...	... September 25 ...	189	"	...	...	Picking of cardamom commenced; agricultural prospects continue good.
	Dholepore ...	... .....	Nil	September 25	"	...	Cloudless sky; crops and health excellent; much fever at Dholepore; crops fair.
	Ajmere ...	... .....	Nil	"	...	...	No more rain; weather pleasant; prices of grain high; health good.
	Bickaneer ...	... .....	.....	September 23	"	...	Assistant Agent reports serious apprehensions of famine in Bickaneer; he has been instructed to consult with the Durbar concerning remedial measures.
<b>RASFOOTAKA</b>	Indore Gwalior ...	... .....	Nil Nil	September 25	"	...	No rain; prospects favorable.
	Neemuch ...	... .....	Nil	"	...	...	No rain; weather fine; health good; crops promising.
	Rutham Baghalkhand (Sutna)	... .....	1.55	"	...	...	No rain; harvest promising; health good.
	Rangoon ...	... .....	.....	"	...	...	Health good; district now free from cholera.
	BRITISH BURMAH	...	1.30	September 17	...	...	Public health good; crops promising.
	NEPAL ...	...	.....	...	...	...	Health good; prospects of crops same as last week.

A. O. HUME,  
*Secretary to the Government of India.*



# The Gazette of India.

## EXTRAORDINARY.

Published by Authority.

SIMLA, TUESDAY, OCTOBER 28, 1873.

MILITARY SECRETARY'S OFFICE.

### NOTIFICATION.

*Simla, the 28th October 1873.*

Referring to the Notification of the 22nd October 1873, His EXCELLENCE THE VICEROY AND GOVERNOR GENERAL will leave Simla on Wednesday, the 29th October 1873, for Calcutta direct, where he will arrive on Friday, the 31st October.

HIS EXCELLENCE has no intention of abandoning his plan of visiting Agra, &c., as already announced.

By Command,

Wm. EARLE, Colonel,  
Military Secretary to H. E. the Viceroy.



# The Gazette of India,

EXTRAORDINARY.

Published by Authority.

CALCUTTA, SATURDAY, NOVEMBER 1, 1873.

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## PRIVATE SECRETARY'S OFFICE.

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### NOTIFICATION.

*Calcutta, the 1st November 1873.*

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL has decided not to hold Durbars at Agra or Lucknow. His Excellency will visit both of these places as originally proposed, and will receive any Native Princes, Chiefs, or gentlemen residing in the neighbourhood who may wish to attend, unaccompanied by large camps or any great number of followers.

E. BARING,  
*Private Secy. to the Viceroy.*



# The Gazette of India, EXTRAORDINARY.

Published by Authority.

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CALCUTTA, SATURDAY, NOVEMBER 1, 1873.

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## POST OFFICE.

### MEMORANDUM.

No. 4234.

*Simla, the 25th October 1873.*

*Relating to the treatment of covers destined for the Governor General's Camp  
during His Excellency the Viceroy's proposed tour.*

His Excellency the Viceroy will leave Simla on or about Tuesday 11th November for Agra, whence, after a halt of eleven days, he will visit Bhurtpore, Deeg, Muttra, Shekoabad, Futtahgurh, Cawnpore, Lucknow, Fyzabad and Allahabad, arriving at Calcutta on the 10th December.

2. All covers intended for delivery in the Governor General's Camp should be directed to "The Governor General's Camp". Such covers will be transmitted direct to the Camp, but all other covers bearing the name of any Post Town will be forwarded according to their addresses.

3. Public Departments attached to the Government of India, local Governments and Administrations, and others, are requested to note this rule in view to the correct direction of correspondence intended for the Governor General's Camp.

FRED. R. HOGG,  
*Offg. Dir. Genl. of the Post Office of India.*



# EXTRA SUPPLEMENT TO The Gazette of India.

SIMLA, SATURDAY, NOVEMBER 1, 1873.

## OFFICIAL PAPERS.

A SUPPLEMENT to the GAZETTE OF INDIA will be published from time to time containing such Official Papers and information as the Government of India may deem to be of interest to the Public, and such as may usefully be made known.

Non-Subscribers to the GAZETTE may receive the SUPPLEMENT separately on a payment of six Rupees per annum if delivered in Calcutta, or ten Rupees eight annas if sent by Post.

No Official Orders or Notifications, the publication of which in the GAZETTE OF INDIA is required by Law, or which it has been customary to publish in the CALCUTTA GAZETTE, will be included in the SUPPLEMENT. For such Orders and Notifications the body of the GAZETTE must be looked to.

GOVERNMENT OF INDIA.

DEPARTMENT OF AGRICULTURE, REVENUE, AND COMMERCE.

Reports on the state of the season and prospects of the crops for the fortnight ending the 30th October 1873.

**GENERAL REMARKS.**—Heavy rain has fallen throughout Madras and Mysore, where prospects are satisfactory. In Sindh prospects appear to be fair. There has been no rain in Gujarat and Khandesh, but showers have fallen in the Deccan districts and the Southern Mahratta country: reports are generally favourable. In Bengal prospects are becoming worse: famine is apprehended in the Patna and Rajshayee divisions: the only parts which have had a tolerable rain-fall are Orissa, Chittagong, and parts of Assam. In Oudh the want of rain is becoming more and more felt, and much of the rice crop has failed. The same is the case in the North-Western Provinces east of Allahabad: west of that point the autumn harvest has been good, and the rubbee is progressing favourably. In the Punjab there has been no rain; its absence is causing damage in the north-western districts; elsewhere prospects are good. Reports from Rajputana and Central India are favourable. In the Central Provinces the rice crop has been extensively damaged by the early cessation of the rains. From Berar prospects are reported to be good.

Presidency or Province and District.		Rain-fall for fortnight preceding.	State of agricultural prospects.
<b>Madras.</b>	(Oct. 30th)		
Kistna	(29th)	6.68 at Masulipatam.	Rain-fall abundant elsewhere; four feet water over anicut; canals and tanks quite full; dry crops still sowing; standing crops generally fair; aijjeec, karra and maize reaping; prices steady; markets well supplied locally; pasture abundant; health fair; no cholera since the 10th; cattle fairly healthy.
Kurnool	"	Nearly 3.0 in five days in Kurnool.	Rain general; many tanks have full supply; crops in good order; some being reaped; markets pretty well supplied; prices generally steady; pasture and water abundant; men and cattle generally healthy; prospects somewhat improved in Markapur; rain has fallen and tanks full; prices slightly lower; nearly one foot water over Sunkeasal anicut.
Negapatam	"	6.70 at Negapatam.	Rain-fall heavy elsewhere; rivers full; a few breaches occurred; supply to tanks fair; cultivation progressing; standing crops good on the whole, slightly injured in some parts by too much water; inferior paddy and some dry grains harvested; yield below the average; markets well supplied; prices steady; pasture sufficient; health good, but for small-pox here and there; cattle healthy.
Trichinopoly	"	.....	Rain all over the district, but not monsoon rain; water-supply abundant; crops in good order; outturn below the average, except in one taluk; markets well supplied; prices steady; pasture ample; health good, but for small-pox and fever; condition of cattle good.
Calicut	"	0.60	Rain-fall favourable for second crop cultivation, which is progressing; markets well supplied; prices steady; pasture good; small-pox and fever very slight; cattle healthy.
<b>Bombay.</b>	(Oct. 30th)		General prospects satisfactory.
<i>Sindh.</i>			
Kurrachee	(29th)	.....	River at Kotri on 25th instant 7 feet 5 inches against 7 feet last year; locusts in Sewun division; rats doing damage in Shahbandar division; fever and cold prevalent.
Hyderabad	"	.....	Khureef dry crop harvested; quality good; area deficient; rice crop reaping commenced; rubbee sowings general; cotton picking progressing, quality good; weather pleasant and unusually healthy.
Shikarpur	"	.....	Khureef reaping commenced; jowari and til crops very good; rice indifferent; rubbee sowings progressing; fever moderate; nights cool.
Upper Frontier	"	.....	Khureef harvest commenced; horses dying from ear consequent on floods; horned cattle also suffering; fever general.
<i>Gujarat.</i>			
Ahmedabad	"	.....	Harvesting of khureef nearly completed; public health improving.
Kaira	"	.....	Sowing of rubbee crops commenced; fever continues.
Surat	"	.....	Cotton and standing crops good.
Broach	"	.....	Wheat sown; crops good.
<i>Khandesh and Nasik.</i>			
Khandesh	"	.....	Weather good; cotton and standing crops good; fever and cough prevalent; bajri reaped; rubbee crops flourishing.
Nasik	"	.....	Reaping of early crops commenced.
Thanna	"	.....	Weather cool; early crops good; guinea-worm in the Thana taluk; cattle crops and public health good.
<i>Deccan.</i>			
Poona	"	0.95	Rain-fall almost general; khureef crop being reaped; rubbee sowings generally completed; public health good.
Ahmednugger	"	.....	Rain wanted; rubbee crops fair; khureef being harvested; public health good.
Sholapoor	"	.....	Slight rain throughout the district; khureef and cotton crops middling; rubbee good; cotton export six hundred docras; markets closed; public health good.
Sattara	"	2.12	Rain-fall seasonable; sowing of rubbee generally finished; khureef crops and public health good;ague and cattle disease in Pattan.
<i>Southern Mahratta Country.</i>			
Ranagpur	"	0.19	Crops good; murrain and fever in Bidi taluk.
Dharwar	"	.....	Rain fair throughout the district; early crops good in most places; cotton plants good; sowing of late crops commenced.
Kaladghi	"	.....	Slight rain throughout the district; rubbee sowing completed; public health good.
Canara	"	.....	Crops fair; reaping in progress on the coast; fever, dysentery, and cattle disease prevail slightly.
Rajkote	"	.....	Cotton crops good; weather hot.
Wudwan	"	.....	Cold weather commenced; public health indifferent; cotton crops fair.
Baroda	"	.....	Crops fair; public health good.
<b>Bengal.</b>	(Oct. 29th)		
Burdwan	(14th)	Nil	Weather hot and dry; very slight showers at Bood-Bood, Raneeunge and Cutwa sub-divisions; very heavy showers in Ausgram, and part of Burdwan; prospects of crops very gloomy; crops suffering much from the continued drought; those on high lands irretrievably spoilt; much of the rice is flowering; prices rising.
24-Pergunnahs	"	.....	Weather dry and hot during the day and cool at nights with heavy dews; a very small fall of rain at Diamond Harbour, Baraset, and Bariepoor Sub-divisions; clouds hanging about but no rain; most of the late rice crop on high lands is past remedy; unless rain comes soon it will totally fail in several places; the crops on lowlands are also beginning to suffer from the drought; the ground is too hard to permit winter sowings; prices of all food grains rapidly rising.
Dacca	"	.....	Weather dry; occasional showers in the north of the district, but not enough to do any real good; clouds continue to hang about; prospects of crops are bad.